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Minutes of a Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Wednesday, September 3, 2003, at 7:00 p.m.

**Present:**

Robert Kozakiewicz,	Supervisor
Edward Densieski,	Councilman
James Lull,	Councilman
Barbara Blass,	Councilperson
Rose Sanders,	Councilperson

**Also Present:**

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

(Supervisor Kozakiewicz called the meeting to order at 7:04)

Supervisor Kozakiewicz: "Slightly after 7:00, the time being 7:04, so we're going to get started. What I'm going to do is if one of the championship 11 and 12 year old softball players would like to lead us in the Pledge of Allegiance, we'll start with them. Ready?"

(The Pledge of Allegiance was recited)

Supervisor Kozakiewicz: "And we're going to go right down into- below. We do have a presentation today. I'm going to ask my Town Board colleagues to join me there. And (inaudible). Come on, somebody, don't be bashful.

Okay, while they're doing that, coaches, come on up. Come on, come on. A few years ago while I was second Vice-President of Riverhead Little League, I had the pleasure of seeing the then 11 and 12 year old girls softball team do very, very well. And a lot of those girls are playing on varsity high school right now and they're doing phenomenal.

But this year's 11 and 12 year olds did something that has never been done with Riverhead Little League before. They got past district 36 and if you remember back in Wading River we were shy one Town Board member because Mom was there watching daughter play all Long Island. And unfortunately they didn't get by it but it's something that I think they've got tremendous futures as far as softball goes and as far as achievement. So I'm going to turn it

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over to Little League coaches and if you want to bring the girls up individually so they individually get recognized."

(Unidentified): (At this time, the girls were introduced individually.)

The team we lost to, ended up winning the State."

Supervisor Kozakiewicz: "From Bayshore, Brighwaters, they ended up winning the State. I'm not sure if everyone heard that. The team that this team lost to, took the whole New York State Little League Softball Championship. So this is phenomenal and I'm not sure who's going to get the proclamation but I do have a proclamation which I'd like to present to the coaches.

The coaches did a great job and they deserve recognition as well. Of course, they had some talent to work with but, you know, they worked with them, they taught them. I think one of the great things if Little League is how much they learn through the years. We bring them up from a pretty early age, get them inspired to play the game, and they do it. They play the game. So, congratulations to everyone."

Councilwoman Blass: "Just one last comment. We are recognizing them tonight for their athletic ability but I just wanted to say that these young ladies represented Riverhead very well in terms of their sportsmanship and behavior on the field. There were some very difficult calls and difficult moments that they had to endure and I think they were led very well and their coaches were great role models. So we were very, very proud of their behavior and you should all be aware of the fact that they represented Riverhead superbly."

Supervisor Kozakiewicz: "Once again, congratulations to everybody and thank you so much."

(Unidentified): "Do you want to introduce the coaches?"

Wayne Rambo: "I'm Wayne Rambo."

Tom Murphy: "Tom Murphy."

Les Falcone: "Les Falcone (phonetic)."

(Unidentified): "I just want to thank the Town Board and the Supervisor for bringing the girls down here and honoring them like

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this. And I also just want to thank the parents for dragging them around from East Meadow to East Hampton. They endured a lot. They were a good group to work with and I just want to congratulate the girls again. They beat district 36 who had (inaudible), went on to beat two other districts and then they lost in the finals but they came in #2 out of 75 teams. So that's not too shabby at all. Congratulations, girls."

Supervisor Kozakiewicz: "While they're leaving, I look forward to the future of Riverhead High School Softball Champs for the State's. So you guys got a challenge and I think you can do it.

While they're stepping up, we will go back to business at hand. Is there a motion to approve the minutes of August 19, 2003? I did notice that Rolph Kestling's name is misspelled. Should we correct that?"

Barbara Grattan: "Yes, we should."

Supervisor Kozakiewicz: "Rolf, right? I think the last name was misspelled, too. K-O-E-S-L-I-N-G. But, anyway, not to be technical. Is there a motion to approve the minutes?"

Councilman Lull: "So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Vote- motion by Jim Lull; second by Councilman Densieski. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The minutes are approves."

Supervisor Kozakiewicz: "Reports, please."

#### **REPORTS:**

Tax Receiver	Utility collections report for August. Total collected was \$186,047.66
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Town Clerk	Monthly report for August. Total collected was \$10,414.64
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Sewer Department	Discharge monitoring report for
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July

Building Department

Monthly report for August. Total collected \$58,414.25

Barbara Grattan: "That concludes Reports."

Supervisor Kozakiewicz: "Thank you, Barbara. Applications."

**APPLICATIONS:**

Shows & Exhibition  
Permit

Harbes Family Farm LLC - weekends  
Aug, Sept, Oct, fall harvest  
festival

Tanger Outlet Center, Sept 5 thru  
12 - tent sale

Riverhead Building Supply - Sept  
27, a tent sale

Riverhead Country Fair - Oct. 19  
Fair

Fireworks Permit

Timothy Hill Children's Ranch -  
Sept. 6

Parade Permit

RHD Foundation for Marine - Oct.  
25

Special Permits

Tanger Properties Limited Partner-  
ship

Site Plan

Maximum Motor Sports

NF Management, Inc.

Riverhead Development Group

(Amended) East Main Street  
Associates

Barbara Grattan: "That concludes Applications."

Supervisor Kozakiewicz: "Thank you, Barbara. Correspondence."

**CORRESPONDENCE:**

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Peter Danowski, Esq.      Regarding master plan recommendations

Gene Greaves      Regarding Route 25 speed limit and passing lanes in Calverton

Barbara Grattan:      "That concludes Correspondence."

Supervisor Kozakiewicz:      "All right. Thank you. Any Committee reports?"

Councilman Densieski:      "A couple of notes, Mr. Supervisor. Saturday, Sept. 27, will be a STOP date from 8 to 3 at the Youngs Avenue facility. This Saturday, Sept. 6, is the Capt. Ray Kelly is having the annual snapper tournament. Bring all the kids down. It's a pretty good day. And this Sunday is the 4<sup>th</sup> Annual Heritage Festival with a parade starting at 12 noon downtown and a lot of free events for kids afterwards, so come on down. Bring the family. That's it."

Supervisor Kozakiewicz:      "Yeah, I'm glad you brought up the STOP date because I had that. I also wanted to again mention that our yard waste component which had been at the Highway facility has now moved up to Youngs Avenue as well."

I have been asked by the town engineer to ask residents and to ask any listeners out there to be a little more conscious of what they bring up. We can't have plastic bags; we can't have certain things being mixed up. Because what happens is we're using this stuff to grind up and make the compost and to use on the landfill so it's got to be stumps and yard waste, no plastic bags, no foreign objects, please.

That being said, any other reports from Committee? Okay. We'll- we've got six public hearings and we'll go into our first one that's scheduled tonight."

Public Hearing opened: 7:14 p.m.

Supervisor Kozakiewicz:      "Barbara, would you read the affidavit of publishing and posting, please?"

Barbara Grattan:      "What time are we opening this?"

Supervisor Kozakiewicz:      "Oh, I'm sorry, the time being 7:14 p.m."

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Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on September 3, 2003, at 7:05 p.m. regarding the consideration of the purchase of development rights of 54 acres of agricultural lands owned by Avery Young located on the northerly side of Main Road, Aquebogue, at \$33,000 per acre."

Supervisor Kozakiewicz: "I know Hoot Sherman will be stepping up and I'm sure he has a display. While he's doing that, as indicated, this is \$33,000 an acre. The parcel itself is about 55 acres of which 54 is being considered for a development right purchase. The parcel is on the north side of the Main Road in Aquebogue and immediately to- well, he's got it. He's got the pictorial up there around it."

The parcels have already been purchased either by the town or by the county and this would make a nice continuation of a block of development rights that have been preserved. So, with that said, Hoot Sherman."

Hoot Sherman: "Nothing left to say."

Supervisor Kozakiewicz: "Yes, there is. Go ahead."

Hoot Sherman: "Hi. I'm Hoot Sherman from Peconic Land Trust. This is a- as you say, this is a 54 acre parcel, Suffolk County Tax Map No. is 600-67-3-17. It is currently in sod; it's leased to a grower. It's bordered on the north and the east by already protected land and on the west is land that is in contract to be protected, so within the next couple of weeks, a month or so, it will be bordered all the way around by protected land."

As you see, it's a good assemblage which is what Riverhead tries to do is assemble a lot of pieces of protected and then they just keep adding to those assemblages. It is appraised at \$33,000 an acre for a total of \$1,782,000 and that was appraised on May 13<sup>th</sup> by Patrick Gibbon and the Farm Select Committee has looked at this. They've been trying to get this piece for a long time and they recommend its approval."

Supervisor Kozakiewicz: "Thank you, Hoot. Is there anybody who would like to address the Board either for or against the acquisition of development rights from lands of Avery Young in Aquebogue? Okay. Not seeing anybody indicated a wish to do so, the time being 7:17 p.m., declare the public hearing closed."

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Public Hearing closed: 7:17 p.m.

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Public Hearing opened: 7:17 p.m.

Supervisor Kozakiewicz: "And we will go to the second public hearing, the time still being 7:17 p.m."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on September 3, 2003, at 7:10 p.m. regarding the consideration of the Town of Riverhead's fee simple purchase of property located on the northerly side of Riverside Drive for the preservation of open space for public purposes."

Supervisor Kozakiewicz: "Okay. I know this one had been a previous subject of a public hearing and the reason we needed to re-notice it is because the posting of the property had incorrectly notified or had indicated that the public hearing would be held at Town Hall when, in fact, as many of you recall, was held in Wading River at the Church."

I think there was some discussion of maybe seeing if we can incorporate the prior testimony and make it part of this?"

Councilwoman Blass: "Yes, Mr. Supervisor, I was going to suggest by motion that we incorporate all the commentary at the 7/15 or July 15<sup>th</sup> meeting on this subject, that the subject of the public hearing be incorporated in tonight's record."

Supervisor Kozakiewicz: "Okay. Is there a second? All in favor of incorporating that prior hearing?"

(Collective response): "Aye."

Supervisor Kozakiewicz: "And I'm in favor as well. This way, if you had a chance, you still can speak tonight, there's no reason you can't. But if you want to stand on your comments you made at that prior hearing, they'll be incorporated into the record today and the only problem that we had the last time has been indicated, was the fact that there had been an incorrect public notice placed on the property."

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That being said, I do have some cards from individuals who wish to speak. Marsha Kalasky. Come on up. We have to have you on the microphone because if we don't, there's a chance we won't get you on the record and if we fail to get you on the record, that would be a problem."

Marsha Kalasky: "Last time, I was at the Wading River meeting, and everyone spoke about preserving the open space on Riverside Drive. But one thing that was very interesting to me was we were actually told how it was assessed and it had nothing to do with the environmental issue or anything like that.

But I happen to work in mortgages and deeds. Every single day, they cross my desk. And what I don't think some people realize is the prices of condominiums in this area, what they're going for, for places that have no view, no water, no nothing, and I'll give you an example. Aquebogue, I think it's Silver Village, the prices- "

Supervisor Kozakiewicz: "West Lane."

Marsha Kalasky: "Yes. Around \$180,000. And I did just sort of some strange, little calculations and I know that everyone was a little up in arms with the amount that the town was going to pay for it, but I sort of played around with it. If you just took 10 units and they face the water, it would be \$4,000,000 right there. And then if you took 210 units and you juggled them around and just had them for \$185,000 and I know that they would go for more, it comes out to over \$38,000,000. So you could see where if the developer invests maybe another \$10,000,000 to build the whole thing, he'd still realize maybe \$30,000,000- \$40,000,000.

So I don't- I personally don't see where to purchase it, 6.5 is all that much. Thank you."

Supervisor Kozakiewicz: "Thank you. Jack Wherry (phonetic). Jack, are you here?"

Jack Wherry: "My name is Jack Wherry. I'm a resident of Jamesport. I'm speaking tonight as Governor of the Riverhead Moose Lodge. I represent 2800 members, obviously all of them aren't residents of Riverhead. But they asked me to come down here tonight to urge that your Town Board move ahead on your acquisition of this very valuable piece of property as we see it and as I guess the Town Board sees it that way too, otherwise you wouldn't be at where you're at tonight.



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We feel the waterways have got to be protected. Ground water has got to be protected and it's a great piece of property. And we might be a little partial because I boat up and down there but- and I travel there every day.

But I urge the Town Board- we urge the Town Board to go through with the acquisition. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Next speaker is Kathleen Grodski."

Kathleen Grodski: "Good evening, Kathleen Grodski from Calverton. I want to speak to you regarding- I wish I had more time to prepare myself. I've been ill, I just got over some major surgery. But, I think that 6.5 million is a tremendous amount of money to be spending for this property.

I can't see the justification for it, spending the taxpayers' money for this piece of land on if's and maybe's as what possible could be built here, and what is there. I think you're setting a precedent at this point that- no one's listening to me- "

Supervisor Kozakiewicz: "I'm writing notes as you're talking."

Kathleen Grodski: "-- that, well, sorry. That if you spend this kind of money on acreage, this acreage, you set a precedent for the fact that you are willing to spend that kind of money. Why can't somebody else down the road with another piece of land expect you to spend the same amount? You know, I think you should take that into consideration.

So, I think that's really all I have to say, that I am totally against this and please think hard before you make your decision. Thank you."

Supervisor Kozakiewicz: "Thank you. John White."

John White: "John White of Calverton. Good evening, Town Board. I've been in the construction business all my life and one thing I don't see that's really been taken into consideration on this particular project is what it would actually cost to develop this project. It would be very costly between loss factor with wetlands and things like that and setbacks. So it's not where somebody is going to get \$40,000,000 profit on this piece of property.

I mean, I'm a developer. I own 150 acres of industrial property

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in Yaphank. I know what it cost to put a road in by itself. I think that the town should be applauded for what they're trying to do but I really don't think that the people of the town of Riverhead can afford \$6.5 million dollars for this.

I would rather myself see the money be spent on three acres of farm property and keep a farm family in the business than spend it for one acre of property here. I don't think the numbers work. It's not farm property; it's not going to be productive. And people do have to live somewhere. So if they don't develop this, they're going to develop something somewhere else. These people are going to live somewhere. And the town taxpayers are going to pay another \$6 million dollars. I would rather see it in farmland. That's all I have to say. Thank you."

Supervisor Kozakiewicz: "Thank you. That's it for cards that are handed up so if there's anybody- Sandra Mott."

Sandra Mott: "Good evening. Sandra Mott, Riverhead. I'm not going to restate my previous concerns but when I did review by watching Cablevision the actual discussion of this proposed purchase, an earlier speaker had indicated that this was the former town dump. Now I had not heard that when I was sitting in back of the room. Is that true?"

Unidentified: "No."

Sandra Mott: "Well, what was it formerly?"

Councilman Lull: "There was a piece of property, Sandra, which is to the northwest of this property which was a small town dump. It backs up to- to the apartment houses across the street."

Sandra Mott: "Okay. So it- there wouldn't be any problem with the migration of any kind of toxic materials in the soil and so on. Have any- "

Councilman Lull: "That dump was abandoned in 1938."

Sandra Mott: "Okay. No offense but we all know that things stay in the soil a long time and I was wondering if any testing had been done of this soil. I don't know if anyone can answer that right off the bat."

Supervisor Kozakiewicz: "Not that I'm aware of."

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Sandra Mott: "Will any testing be done of the soil to make certain that- "

Supervisor Kozakiewicz: "It had not been discussed."

Sandra Mott: "How come? Don't you think- "

Supervisor Kozakiewicz: "Because we don't believe there's any contamination but you are making comments as to maybe something we should do so we'll have to take it under consideration."

Sandra Mott: "Okay. That's my concern."

Supervisor Kozakiewicz: "Okay."

Sandra Mott: "That some soil testing be made and water and, you know, vegetation and so on, whatever they can do scientifically these days for all types of contaminants which as I say no offense, but sometimes they stay longer, they don't break down and what might not have been considered an issue, you know, years ago- you said 1938 it was closed? You know, as we all know, we're suffering from those issue now on Long Island especially-- and especially if it's going to have public access, will that area be publicly accessible for, you know, recreational use or- "

Supervisor Kozakiewicz: "I would think it would be and that's something that we will probably end up turning over to our parks committee to take a real good look at as to what we'd use it for. That's what they're codified to do."

Sandra Mott: "Okay. Because if it is going to used for public access for recreational and depending on the type of use, you don't really want children or anyone to be contaminated so to speak in the generic form of the word, definition of the word.

I'm really concerned about that and especially since- essentially since the same issues were brought up for the quote unquote Glenwood Village extension and that- and the soil was not tested and that was adjacent to the race track. It's not parallel- per se, it's not exactly parallel but it's similar enough that all properties that the town is going to buy for whatever reason and specifically for any kind of public access, recreation and so on, all soils should be tested for all contaminants because we don't know what those contaminants are doing to us now that we weren't aware of previously.

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And the liability not only of the town is there but more importantly of the public. Since it's taxpayers' dollars going to buy this property, you know how I feel about preservation. I agree with some of the other people that I still feel that the price is too high. And when you are going to have that kind of money spent, there are other areas specifically the area that is adjacent to Glenwood. I know it's down the pike and far into the process but some consideration should have been made to maintain that property in total. All of the wetlands, all of the habitat, all of the woodlands, specifically because it's within the Scenic Wild River area and there aren't too many areas like that anymore.

And, so, in conjunction with my other concerns, if you would please test the soil on any parcel that the town is going to put forward using taxpayer money and that's one thing but more importantly, anything that the public is going to have access to. I think that's crucial. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Yes, Gene Greaves."

Gene Greaves: "Hi, good evening. Gene Greaves, Calverton. I just wanted to make a suggestion for if and when this matter is taken under consideration that the Town Board send a letter to the county asking for, and I understand it would be on a sliding scale, but some sort of funding for this property as well. I understand that their appraisal is lower than ours but they were looking into putting whatever percentage towards the preservation. If we could include in- as I said if and when a letter to either the entire legislature, to the- "

Supervisor Kozakiewicz: "Oh, I did. I did send a letter out to Mr. Bishop asking the Environmental Land Acquisition Planning Committee to consider this and Deputy Town Attorney Sean Walter did appear before them and he can probably fill you in on some of that. But we did suggest that they should consider it, much like they did with the Duke property in East Hampton.

I've said it before and I very much believe it. The town program is working. The county program is not. So if we can get some more money back into our till, we can get buy other open space lands, other lands for development rights as well and I would hope that the county would agree with your assessment that they should give us some money or help provide us support in buying these parcels."

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Gene Greaves: "Well, as I said, as an additional (inaudible). Mr. Bishop is on a federal level. I was- "

Supervisor Kozakiewicz: "No, no, no. Mr. Bishop who is the Chair of the Environmental Land Acquisition Planning Committee at the County Legislators."

Gene Greaves: "Okay. Thank you."

Supervisor Kozakiewicz: "You're welcome. I don't know, you want to address that quickly, Sean? A quick update on that issue."

Sean Walter: "I'll address the Board because I (inaudible) have this conversation, sorry I went on vacation."

I met-- before I went on vacation Hoot, Sherman and I went in- "

Supervisor Kozakiewicz: "You're not allowed to go on vacation anymore by the way."

Sean Walter: "-- to the county ELAP committee and we made a presentation on two parcels, the River Club and Krupski, and it was my sense that the legislature was not going to purchase either property jointly with us. In fact, we- it's more than my impression on the River Club that they're not going to do a joint acquisition, that Mr. Carraciolla was not going to co-sponsor legislation to do this."

We also discussed Krupski which was a very good acquisition and, again, I do not believe that the ELAP committee is going to do a joint acquisition, but we are trying to work through other channels to get the legislature on board for these two but we did make numerous attempts with the legislature."

Supervisor Kozakiewicz: "Thank you so much. Anybody else who would like to address the Board on this? You're standing. Come on up."

Patricia Blake: "Good evening, Mr. Supervisor, my name is Patricia Blake. I have a question, if I may, and I'd like to refer to the map. I see that it's broken up. Would this be by various tax parcels?"

Supervisor Kozakiewicz: "Yes. I believe it was in the '60's, a subdivision map was filed with the Suffolk County Clerk's Office. There is a filed map that's of record over at Suffolk County Clerk's

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Office. As you know, a major subdivision or a subdivision would need to be filed with that particular department and, in fact, there was as pointed out by one of the weeklies out here that there was a subdivision map filed. And, in fact, since you bring that up, what's that? And it was checkerboard as well. That's the other point, where the property owners did separate so there's not common ownership in order to avoid any merger of lots."

Patricia Blake: "Did the appraisal which identified the number of \$6.5 million for the town to purchase this, identify the checkerboarding on the potential number of parcels?"

Supervisor Kozakiewicz: "It did it upon a market value approach and it based it upon that subdivision as well as upon condominium approval and then as far as the condominium approval was concerned, they did a discounting of what the infrastructure costs would be plus the time of where the application is and they discounted it backwards to reduce that appraised value."

Patricia Blake: "And one more question, if I may. Did that appraisal reference the potential number of units that could be obtained?"

Supervisor Kozakiewicz: "It referenced the application that's before us to 222."

Patricia Blake: "To 222?"

Supervisor Kozakiewicz: "Correct."

Patricia Blake: "And then did it discount it backwards?"

Supervisor Kozakiewicz: "Yes."

Patricia Blake: "Thank you."

Supervisor Kozakiewicz: "You're welcome. Thank you, Pat. Anybody else- yes."

Kevin McAllister: "Good evening, everyone. I'm Kevin McAllister, the Peconic Baykeeper. In a way I feel fortunate. I was not able to attend the Wading River hearing so I felt it very important to at least have some comments on this parcel.

Obviously with my interest and I guess mission to try to protect water quality and part of that component is really habitat, adjacent

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habitat to our river system and tidal creeks and this is an incredibly important parcel. Certainly from a biological standpoint as well as aesthetic.

As you certainly know, most of the river has been developed on the tidal portion. The southern reach is certainly vulnerable to future development and from the assessment I've done on this parcel, I would consider it in a high quality state biologically. And with respect to the groundwater feed, I think it's enormous coming in through this area. Obviously with the recharge basin and as well as just sheet flow coming into the river, so in the big picture and not to disagree with a previous speaker, but I think we're very limited in the parcels on this river front.

And this is one opportunity I think that's before this Board and certainly you have an obligation to be fiscally responsible. You have an obligation to have, I think, public scrutiny on this process but hearing the Supervisor speak, obviously it appears to me you've certainly done your homework and due diligence.

I would strongly encourage you to move forward with this and I also would agree with the previous speaker that Suffolk County should really step up to the plate as well. And I think in my roll as Peconic Baykeeper, I'll try to do my part to weigh in on that to seek their inclusion in this process.

So, above all and above anything else, acquire this parcel. It's critically important. It's- the size warrants it, the location warrants it, the protection of the river warrants it. Thank you."

Supervisor Kozakiewicz: "Well, as far as your offer to help with the County, I wholeheartedly accept it and if we can get together and more voices and stronger voices together, I would certainly welcome you coming in, maybe we can appear before the Environmental Land Acquisition Planning Committee again to stress to them how important it is."

Kevin McAllister: "Just a quick addendum to that. You know, Suffolk County obviously is a principal partner of the estuary program and clearly identifying land acquisition as an important tool. So looking again at this river front parcel, I know there's been some disparity in consideration of the value of the land but, you know, we have to come to terms here. This has to be purchased and I think it has to be done on a partnership. Thank you."

Supervisor Kozakiewicz: "Thank you. And I'm glad you

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mentioned the County because we did have hand delivered to the Town Hall today which has been handed to the Clerk for the record, a letter from Vito (inaudible) from the office of Health Department and also on behalf of the Peconic Estuary Program, also identifying the reasons why this parcel should be preserved. And that letter is September 3, today's date, 2003, two page letter which is part of the record. So, I thought it was a good time to mention that. Hal Lindstrom."

Hal Lindstrom: "Good evening, Board, Hal Lindstrom. I just want to restate from the last meeting my position on this. I feel at the present \$6.5 million dollars, this deal should not go forward. Just considering the controversy that has surrounded this particular property, and also the possibility of the conflict of interest that was brought up in the papers. I feel that the money could be better spent on other pieces, maybe smaller parcels, whatever, at less than \$117,000 an acre. I think that's extremely high for open space.

How much open space has been purchased this year alone?"

Supervisor Kozakiewicz: "The number of parcels along the river front, the total acreage I have in my office. I don't have it with me. But we bought, of course, Inga- Irma Murphy's and we have another matter that's on today which would be an open space purchase, 30 something acres. So, we do have some things that are starting to come into the barrel."

Hal Lindstrom: "Yeah- "

Supervisor Kozakiewicz: "And we're not giving up as well on the Hubbard duck farm piece. We're going to have some further discussions and I did have a conversation with Barbara Blass about that issue and I also met with Randy Parsons from the Nature Conservancy to see if we can make a real last ditch effort to save that one as well, so we're looking at this. We know the Peconic Estuary is significant. Open space is important to the town and to preserving that Estuary, so-"

Hal Lindstrom: "It seems to me that this River Club deal is a last minute effort to show that the town is serious about purchasing open space but I feel at 65% of the total amount that's budgeted for open space, I feel that's, you know, really too much for this one piece of land. I think it should be reassessed and renegotiated because, you know, from what I've read as far as the condos and everything else, is it in the sewer district or not? Because if it's out of the sewer district, anyone who builds condos there is going to



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have to put in their own sewer system. That was one of the things that were brought up. Do you know if it's in the sewer district or out of the sewer district?"

Supervisor Kozakiewicz: "I'll have counsel address that. I think that the issue should be and, again, there's been this, you know, floating thing out there, there's a conflict of interest. Let me talk to that first. I worked with someone 10 years ago, I left their employ in 1993. Now, I must have been some real forward person thinking to say in December, 1993, when I'm Supervisor 10 years down the road, I'm going to be making a deal with this particular attorney who represents this particular client. If I was able to look that far ahead 10 years, I'm one heck of a forward thinking person.

Ten years ago is when I worked for that person. Riverhead is a small town; I know a lot of people in the town. Sooner or later- I mean, I know Avery Young. He's a farm family. My family is farming. Does that make a conflict of interest? I don't think so. As far as the- "

Hal Lindstrom: "What about- "

Supervisor Kozakiewicz: "-- as far as the number, there was a full appraisal done. You are welcome to look at the appraisal. You're welcome to question it. The appraised value was sustained in that document. It was done upon a market value approach. It looked at the fact that there was a valid subdivision filed. The map is of record. Suffolk County, if you want to poke holes at appraisals, their appraisal stated there was no valid subdivision but the fact of the matter is that they just walked across, checked the County Clerk's records, they would have found out that in the '60's a subdivision was filed.

So when you start questioning numbers, why is it that no one is saying, well, geez, the County's appraisal seems to be premised upon a faulty piece of factual basis in that there is, in fact, a valid subdivision that's been filed. I don't know.

You know, the bottom line is there's an appraisal. This deal has been an open book. If there is really a question of conflict of interest, believe me, I'll recuse myself from voting and I'll leave it to my four colleagues to make the decision whether this is a right deal to go forward or an incorrect deal to go forward. If- I will ask and I certainly will ask the Town Attorney if she would have the Ethics Committee look at the issues and determine if I have a conflict of interest. I have nothing to hide.

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I don't think my involvement with an individual in a law practice 10 years ago really should be the question. But if it is, I'll gladly step away and let my four colleagues make the decision here because I think at the end of the day, they'll make the right one."

Hal Lindstrom: "Okay. I just want to state that it just wasn't one person, it was actually two people. I'd like to state that for the record."

Supervisor Kozakiewicz: "Thank you."

Hal Lindstrom: "Okay, Bruce Barnett (phonetic) was a client of yours, I believe."

Supervisor Kozakiewicz: "Totally distinct deal and nothing to do with this one. But, again, it's a question that the Ethics Committee can look at and render a determination on. And, as I said, I will certainly accede to their adjudication and determination. If they- because we haven't taken any action yet."

That's the other aspect which is interesting and somewhat perplexing at the same time. Why all the hullabaloo if the town hasn't bought the parcel, the town hasn't taken formal action? But-  
"

Hal Lindstrom: "I feel all the facts should be brought out before you make a decision."

Supervisor Kozakiewicz: "Well, the facts are that we have an appraisal from December, 2002--"

Hal Lindstrom: "Right. It was- that was- "

Supervisor Kozakiewicz: "-- there's 1500 feet of ocean-waterfront property, not ocean front, river front property. It's the subject of a special permit, that's a fact. The fact is that it was a valid subdivision back in the '60's, fact. They checkerboarded the parcels to avoid a merger of lots, fact. So those are facts."

Hal Lindstrom: "It was just one appraisal. It wasn't more than one appraisal."

Supervisor Kozakiewicz: "Okay."

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Hal Lindstrom: "I mean it's like, you know, if you go to a doctor, you know, I always like to get a second opinion. One guy tells me \$6.5, you may get somebody to say \$3.5. I mean, but again, spend 65% of the allocated budget for open space to me it just doesn't make sense."

Supervisor Kozakiewicz: "Thank you."

Hal Lindstrom: "Thank you."

Supervisor Kozakiewicz: "Yes. I'm sorry, Sean, yes. Sean Walter, Deputy Town Attorney."

Sean Walter: "I just want to clarify an important point, too, is that the Supervisor doesn't negotiate these contracts for these deals. The deals are negotiated with the Peconic Land Trust, the Town Attorney's office, myself, and the Farmland Open Space Preservation committee. The Supervisor doesn't have anything to do with it until I say there's a deal and we've put a resolution forward. And there's not even a deal, there's a proposed price. They've offered us the ability to buy this for \$6.5 million dollars. So the Supervisor has no direct dealings with any of this stuff until they actually take an action."

Supervisor Kozakiewicz: "Thank you. Yes."

Pamela Hogriff: "My name is Pamela Hogriff (phonetic) and I live on Riverside Drive. And I recently had my house appraised. I live on the waterfront. I have approximately 225 feet on the water. My house is appraised for \$650,000, about \$450,000 of that would be the land value. If you took 1500 feet and you divided that by 200, you'd- "

Supervisor Kozakiewicz: "Fifteen hundred, right."

Pamela Hogriff: "-- you'd have a builder's acre, let's say. You have 7.5, one acre parcels. There was a house that sold on Riverside Drive this year. A third of an acre, backs up to the railroad tracks. It sold- 1500 square feet, cute little house. It sold for \$285,000. A builder will come in and he builds that house for \$150,000. So if you take that 117 and you add 150 you're under- what am I at, I don't know."

Supervisor Kozakiewicz: "You lost me."

Pamela Hogriff: "It's under the price of what it was sold for."

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So the 117 per acre which is what this has been appraised at is not an off the mark price. The- I- it is a lot of money; \$6.5 million is a lot of money. But you bought farmland and it's beautiful and I'd like to see farmland preserved as well. However, I think this is a rare opportunity to keep something that is quite beautiful, very unusual. We should consider making a preservation of this. I strongly consider this.

When you make that turn off of 105 into Riverhead, it is absolutely beautiful. There's nobody that goes down that street that doesn't applaud that entry. And I just- I think it's very, very important that the- you cannot- you cannot put the cost of farmland at the same cost of waterfront."

Supervisor Kozakiewicz: "Thank you."

Pamela Hogriff: "That's all I have to say."

Supervisor Kozakiewicz: "All right. The hand in the back. Terri, did you also want to speak? Okay."

Gene Fronhoffer: "Gene Fronhoffer (phonetic), Riverhead. Corwell Avenue (phonetic), right off of Riverside Drive. There's a couple of things on the agenda here, you say the north side of Riverside. We're talking- "

Supervisor Kozakiewicz: "It's the north and south side."

Gene Fronhoffer: "Yeah, we're talking about both sides."

Supervisor Kozakiewicz: "Correct. It's 55 plus acres."

Gene Fronhoffer: "And I've lived here since '76 on that street and as far as I know no part of this parcel abuts that old dump. So let's get a little something clear there to maybe ease your mind about it. There's no dump."

Supervisor Kozakiewicz: "Okay. Okay. Gene. Address us."

Gene Fronhoffer: "There's no dump. There was a comment made, but maybe if you want to rectify and state for the record, that's fine."

Gene Fronhoffer: "Right. But, anyway, this piece of property is beautiful. I mean the deer run in there and it's- it needs to be preserved. I mean it takes long enough for our water to circulate as

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it is. I believe it was stated 55 days for the water that comes down here it takes to go back out and circulate. We're at the end of the estuary.

I mean we need to preserve this. We don't need to develop any more waterfront. You're not going to find any more waterfront. I mean if you look at what they're trying to do in (inaudible). They're trying to do all private waterfront- the beaches are going to be owned by people. It's not going to be owned by towns or states or anything. So, I mean, I think we should preserve this and keep it in the town. Thank you."

Supervisor Kozakiewicz: "Thank you. Terry Hulse. And then- was that you, Sid. Sid, was that your hand up? Okay. Okay, hand in front of Sid. Okay."

Terry Hulse: "Terry Hulse, Town of Riverhead. And I would just like to reaffirm my previous statements that I applaud the Town Board for moving ahead in considering this piece of property for preservation and I strongly agree with that. And at previous meetings, I've, you know, asked you not to make this a political football and it hasn't.

As we know, Rivergate hasn't materialized as yet and I don't think it will. But I think that forthcoming generations will appreciate the foresight and forward thinking of this Board. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Hand in front of Sid."

Susan Fronhoffer: "Susan Fronhoffer, Riverhead. And I'm just going to reiterate a little bit of what I said last time. Everyone- for one, I keep hearing the appraisal came in at 2002 so I wouldn't even want to hear what the new appraisal would be if it came out. Based on what I see, the properties on the river are going up right now. That's one.

Secondly, I- it is waterfront and there isn't much of Long Island left that is waterfront that isn't bought up and used. And as far as the price, the price is only going to go up for the value of the property and, secondly, nobody considers the price and the cost to the town taxpayers if this is developed. Like everything that gets developed, there seems to be a backlog of problems. You end up developing this on the river and the Town Board is going to be faced with the pollution on the river and then someone in the bay club is going to say we want it fixed and the pollution and that's going to cost the taxpayers money.

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And when Riverside Drive has too much traffic up and down it because there's only two accesses to the whole road and that whole community, then the town is going to be faced with another problem of traffic and dealing with that. And that costs money, too. And all of that is going to come back to you taxpayers.

So if you think \$6.5 million is a lot to spend to preserve it and leave it alone and not cause problems, it will probably cost you more in the long run if it was developed and then the problems snowball from here on in like in every other thing when development takes place. Thank you."

Supervisor Kozakiewicz: "Thank you."

Randy Parsons: "Randy Parsons, Nature Conservancy. You've incorporated the comments I made last time. I just wanted to say, again, that the Peconic Estuary comprehensive plan created a committee to rank critical lands in the estuary for acquisition and that committee that ranked the properties includes the USEPA, US Fish and Wildlife, New York DEC, Suffolk County Planning, Health and Ecology, and a community citizen's group and the Nature Conservancy and the River Club property is ranked eight. Eight is the highest ranking in the critical lands strategy list. It is a top ranked parcel.

And one other quick point, I understand that people have questions about the value or the price. But it's my understanding that this is not actually paid for with taxpayer funds but with the Community Preservation Fund, so that the- there isn't really an impact on the Riverhead property taxpayer with this acquisition, just the money accumulated through the 2% transfer tax. I believe that's correct."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address us? Yes, hand in the back."

Brian Bollerman: "Brian Bollerman, Aquebogue. Is this property held up to the new master plan requirements for site plan application? What's the future zoning- well, what's the- every site- is this- "

Supervisor Kozakiewicz: "Well, future zoning- the future zoning is speculative. I mean at this point, it's not adopted. It could be, it could not. But- "

Brian Bollerman: "But the site plan for 222 condominiums is

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not adopted. It could be, it could not."

Supervisor Kozakiewicz: "That's what the appraisal took into consideration. Where it is in the process and there was a discounting backwards."

Brian Bollerman: "My question is when was the 222 condominium site application made?"

Supervisor Kozakiewicz: "I think it was 2001 or 2000. It's been subjected to an environmental impact statement."

Brian Bollerman: "But that was during the master plan update period where you- was that a moratorium period?"

Supervisor Kozakiewicz: "It was within the moratorium. That's correct. It might have been submitted prior to the moratorium but I know that it's been caught up in the moratorium."

Brian Bollerman: "But all new site plan applications during the moratorium were supposed to take into account the master plan. Correct?"

Supervisor Kozakiewicz: "To get an exemption to be taken out of the master plan, there was criteria that had to be addressed."

Brian Bollerman: "For example- for 70% land preservation."

Supervisor Kozakiewicz: "Right. The 70/30 rule."

Brian Bollerman: "Okay. So where was the 70% of the land being preserved for these- "

Supervisor Kozakiewicz: "Well, this one was- we're mixing apples and oranges. This was never taken out of the moratorium based upon the exemption. It's still stuck in the moratorium."

Brian Bollerman: "But I don't understand. If this was going to be agricultural or residence A, it's two acre zoning. The same way North Fork Golf Resort or all the other golf resorts going in are, and they were required to do a site plan application to build with 70% land preservation and to cluster. Here we have an application for 222 units but there's no cluster and there's no buying development rights or transferring development rights from somewhere else."

Supervisor Kozakiewicz: "There was a proposal to cluster but,

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again, we're talking about taking something out of master plan and we're really getting into- I'm not sure- are you questioning the valuation of the appraisal? I'm not sure where you're going."

Brian Bollerman: "I'm questioning how they- if- how do I word this correctly? When- the new master plan requires that all site plan approvals meet certain criteria. Correct?"

Supervisor Kozakiewicz: "Our moratorium- no, we're in the middle of a master plan. The master plan is still being discussed by the Town Board. We passed moratoriums which were planning moratoriums so that if a particular- in residential as well, not industrial."

Brian Bollerman: "Okay."

Supervisor Kozakiewicz: "And under the moratoriums, residential proposals would not be processed unless they met the exemption criteria or the exception criteria spelled out in those various moratorium laws. Now, that's- I'm not sure- "

Brian Bollerman: "Well, it should have bearing on the site plan for 222 condominiums."

Supervisor Kozakiewicz: "And as I pointed out, the appraisal does take into consideration a discounting factor. Right."

Brian Bollerman: "Does it take into account the purchase of development rights that haven't been purchased yet? How are they going to get 222 condominiums on 55 acres if they don't purchase development rights if you have to have a site plan application that meets the new master plan?"

Councilwoman Blass: "I think if I can perhaps take a shot at it. Mr. Bollerman, are you asking us under the proposed master plan, the zoning for this particular parcel, how does this application before us pass muster with that?"

Brian Bollerman: "Yes."

Councilwoman Blass: "To the extent that this parcel is being recommended to retain its residence C zoning, and that zoning would be- that category is being upzoned in this particular case I think to one unit per acre. In order to get where he is at this time with the current application, he would have to purchase development rights."

Brian Bollerman: "So is this person being paid for development



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rights he never purchased in the \$6.5 million appraisal? He's applied for 222 units. I'm just trying to figure out the appraisal on this."

Supervisor Kozakiewicz: "He's based upon- he's being paid based upon an appraisal that was done in December, 2002, based upon conditions as they existed in December, 2002. That's what the proposal is."

Brian Bollerman: "But 222 units was one of the tools used for the appraisal. But to get that density, he would have had to purchase development rights from another piece of property."

Supervisor Kozakiewicz: "Not as of December, 2002."

Brian Bollerman: "But- see, I'm confused because he applied during the moratorium."

Supervisor Kozakiewicz: "Right. But he's not applying to get taken out of the moratorium. This is a public hearing to consider the acquisition of fee simple of the property based upon an appraisal from December, 2002 which took into consideration market value and as I indicated before, it was based upon two approaches, the one being the subdivision map that was filed and the second being based upon the application that was made that presumed a higher value and then what it did, was discount."

I guess the question is, do you disagree with some of the comments from other speakers, like if it was 10 lots developed along the waterfront, what would the value be then?"

Brian Bollerman: "No, I'm not arguing the value of the waterfront property."

Supervisor Kozakiewicz: "Okay."

Brian Bollerman: "And I'm not arguing that the property should be preserved or it shouldn't be preserved. Like many Riverhead residents who own new homes, I paid into the Preservation Fund, which I wholly agree with. I think it's great what they're doing. But I also want to make sure that that money is being spent responsibly and I just want to make sure that we have a workable site plan that has passed the Planning Board so you know exactly what will be on there and not use three different site plans for your application or for your appraisal purposes."

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So, if 222 condominiums will never be built on that property, if it's going to be 150 condos, or if it's going to be 100 condos, or if development rights do have to be purchased, let us know what we're paying for, not something on a piece of paper. Because anyone can take a 50 acre piece of property that has no subdivision, that's worth maybe \$2 million in raw land, file a couple of thousand dollar site plan application, and come back and charge \$6 million for it. You just set the worse precedent for this town."

Supervisor Kozakiewicz: "And I mean taking your argument, to get a subdivision approval or site plan approval for 222 units or 150, at that point what's the value of that?"

Brian Bollerman: "But my question is that we should have a real- we should know exactly what can be built on the land not a speculative site plan."

Supervisor Kozakiewicz: "But that's- "

Brian Bollerman: "Like I said, I'm not arguing to purchase it or not purchase it. I just really want to make sure that we're paying the right amount and we're not overpaying."

Supervisor Kozakiewicz: "Okay, thank you."

Brian Bollerman: "Because we work very hard to pay that transfer tax. It was half of our closing costs. And I just want to make sure that it's not wasted and that you have money left over for other projects in the town."

Supervisor Kozakiewicz: "Thank you."

Brian Bollerman: "Sixty-five percent of it is being spent. I just- and also please recuse yourself from the vote."

Supervisor Kozakiewicz: "Thank you. Anybody else? John Griffin."

John Griffin: "John Griffin, Baiting Hollow. I'll start where I ended last time. Everybody wants to save this piece of property. All we want to do is make sure we're paying the right price for it. It's- take it down to a very basic simple thing. Everyone of you own homes. I you are having renovations done in your homes, you're getting estimates for it. If somebody came into you with an estimate that was double what everybody else says it's worth to do, you're going to question it. That's what we're doing. We're not telling

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you not to do it. We're asking you to look at it and make sure we're getting what we're paying for. That's all we're asking for."

Supervisor Kozakiewicz: "Understood."

John Griffin: "The other question I have is you said that nothing has gone forward with this yet as far as the Town Board is concerned. That makes me confused with a news release that was put out by the Town Board two days after the Town Board meeting last year- last month, that said the Town Board has decided to go ahead with this proposition. So what was that about then?"

Supervisor Kozakiewicz: "It was announced that we reached a price. You can read the press release."

John Griffin: "I did read it."

Supervisor Kozakiewicz: "That's what- we're getting into irrelevancies. We're here to hear from you whether we should go forward with the purchase, whether it makes sense under the criteria of the General Municipal Law, whether you believe or disagree with the appraised value, whether you believe or disagree whether it's something that's environmentally significant, whether it makes sense to preserve. So if you agree with that, then, I think, it comes down to the only thing is where we are price-wise."

Fact, we had this go to the Farmland Open Space Committee. Fact, the Farmland Open Space Committee asked us to consider it for public hearing and at this point not contract has been signed because we have to allow for the public to be heard and present their comments. That's reality."

John Griffin: "Okay. Being that the appraisal was based on the highest possible use, okay, I think then we have to assume that we can assume that we were going to use the highest possible opportunity with the master plan. If you are going to use apples and apples, the master plan coming about will probably not allow this but yet we want to get this done before the master plan comes about. That's a question in my mind."

If the 222 units can't be built because of the master plan, why are we assuming when we're doing it in the appraisal, that they can? When they need a special permit to do this, why are we assuming that they're going to get it? Let's make sure of these facts before we do make the decision on what we're going to pay. Thank you."

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Supervisor Kozakiewicz: "You're welcome. Anybody else who would like to address the Board? Yes, sir, in the back. Was that the yellow shirt? Come on forward. I understand I missed you a couple times, so I apologize."

Bill Cardillo: "I'm Bill Cardillo. That's why you missed me. Last time apparently I got the Supervisor annoyed regarding the meeting venue. No, I don't think you put the sign there correctly, but- "

Supervisor Kozakiewicz: "I can point out who did, but we won't get into that."

Bill Cardillo: "That's all right. All is forgiven. I understand the funds that you have in the kitty so to speak are earmarked for open space, be that woods or farmland and such. I listened at the last meeting to this, the Town Attorney- just ran out. Right. His explanation of the town versus the county appraisal. It's understandable. First, I'm a skeptic by nature. I would have said, hey, six and a half, three and a half, it doesn't make sense. The man had a good explanation for it. I understand that, you know. Who knows what the answer is but at least it was a good explanation in my mind."

I understand the gentleman stated earlier, 65% of the current funds in the piggy bank. If the purchase is a good idea, whether it uses 10% or 80% or all of the funds, if it's a good purchase it should be paid. If it's not a good purchase, then it shouldn't be made. But the fact that we're using 65% of the funds, that's what the money is earmarked for. You know.

So, I don't know a lot about land values. My wife is still kicking me for not buying more land in Riverhead. But I know one thing. Eleven and a half years ago, I bought my house on Riverside Drive. I paid \$103,000. An engineer told me- an engineer who I hired, told me I overpaid for it. I venture a guess now that it's worth probably about three times that.

So, paying the correct price is a funny thing. Two years from now does anyone think that we're going to pay less per acre for this property or any other property for that matter? So we've got this money in the piggy bank, we're not using it, and in the meantime land values are going up.

So, and does anyone think that two years from now are there going to be parcels like this left in the town of Riverhead?

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I listened to the environmental expert fellow over here, what parcels are more environmentally sensitive than this one? From what I'm understanding, not too many in the town of Riverhead. So, you think that the current owners are going to wait two more years and then try and sell it to the town for \$10 million dollars. That's what I'm thinking. So, I don't know, six and a half million dollars, yes, it's a lot of money, but if the purchase makes sense, then it should be done. That's all I have to say. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else first before we have any repeat- anybody else who hasn't had a chance to address the Board either for or against? Okay. Sandra, you want to get up and readdress us?"

Sandra Mott: "Yes. Sandra Mott, Riverhead. I don't know anyone who can predict the future and if I did know, then they'd be my very best friend. As to whether the property is going to go up or down in value, you don't know that."

(Inaudible comment from the audience)

Supervisor Kozakiewicz: "Excuse me. Let the speaker speak without interruption, please."

Sandra Mott: "As far as I'm concerned, Madam, the long and the short of it is, you can't prove that. Plus the fact is I have friends who bought very expensive condos in Lincoln Center- in Lincoln Center, and guess what? When the value went down in the '80's, they went down and I had courses in real estate that I continued my license, and they were crying in their beer at Southampton College because that was the bad time and now this is the good time. Well, you're going to get another bad time eventually and the long and the short of it, neither you nor I nor anyone can predict that."

The problem basically is- the- back to my friends at Lincoln Center, the only thing that went up in value and they bought at the height of the market, was their parking space. Hadn't seen my friends in years. Had only met his wife at the wedding. First thing out of her mouth, she's talking about how the condo had gone down in value and the only thing that went up was the parking space."

Now, I don't know about you, it happened once, it will happen again. This property was sitting there for how many years unattended? As I said, I'm not saying you shouldn't buy it. I'm

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saying you should review the cost of the property and if you think that it's a good price, you better think again. I think it's too high. It might be a lovely location especially for the people living in that neighborhood.

Of course, we looked on that same street ourselves. As a matter of fact, my mother just said she's kicking herself we didn't buy it. Guess what? We didn't buy it for other reasons but we didn't buy it. Now you're not going to tell me that you know or I know what's going to happen and the goody, goody, 65%, that's a lot of money taken out of the kitty as they say. That's a lot of money. I think you need a few more appraisals. And you can't predict the future.

This is waterfront property. You don't know what erosion is going to do down the pike. And if this property is so valuable, how come you didn't buy the couple of pieces of property of Bagshaw and whatever next to Atlantis so that they would not be able to expand and we would actually have a downtown park for some of the poor people that can't schlep out to these locations, that don't have a car."

Supervisor Kozakiewicz: "Okay, thank you. Hand in the back. We're going to have everybody coming up twice today? Oh, I'm sorry. I did ask before if anyone hadn't been up first. All right. Go ahead."

Elaine Cardillo: "That was my other half that came up before."

Supervisor Kozakiewicz: "I'm sorry."

Elaine Cardillo: "I'm Elaine Cardillo, I'm a Riverside Drive resident. And to just respond to what was just said about not predicting the future. Of course, nobody can predict the future but speaking as a parent what I can say is that for certain, the lives that we live today are not the same as what we all grew up with. And I as a child used to be able to go out on my bike for hours, you know, with my friends, and have a place to go to and play in the woods and enjoy myself. My kids can't do that. Everything has to be structured. Everything has to be play dates and time schedules and wouldn't it be nice to preserve this area and if you are fore-thinking to maybe some day put nature trails in. And, Barbara Blass, I saw you at the 10k race in Jamesport a couple of weeks ago. Have a jogging trail for people. Have a place where the kids can ride their bikes.

You know, you're talking about, you know, lower income kids that

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don't get a chance to go to these places. We have it within walking distance to Main Street. Why not use it for that purpose instead? That's all I have to say. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address the Board? Kathy."

Kathy Grodski: "Good evening again. I just want to say a couple things after listening to everybody. I want to say that I am for purchasing this property but not at this price. And I have a hard time agreeing with paying this amount when everything is an uncertain about how you got to this price, especially if putting in these condos to make this property worth this amount of money which we're willing to spend to buy it, they had to get a special permit. Doesn't that have to come from you guys in the Town Board?"

Supervisor Kozakiewicz: "Yes."

Kathy Grodski: "And if you're against this property being developed as condominiums for the people and for the health issues and, you know, for preserving everything, why would they get a special permit and where would they get to this point where they would be able to put these condos there in the first place? I'm just so confused about that. And that's why I think the price is ridiculous. It really is. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to-- yes, Hal Lindstrom."

Hal Lindstrom: "Hal Lindstrom, Riverhead. I just want to say that personally I'm all for open space preservation. I do- I work- in my profession, I work in the field. I'm- I work as a wildlife photographer so I understand the need for open space. And I'm all for open space. But, again, I think you have to take into consideration all the facts and I feel one of the major facts in this is, you know, and it wasn't answered, is is it in the sewer district or is it not in the sewer district. Because it's- if it's out of the sewer district, this is a major cost to a developer, whether he's going to build condos or he's not going to build condos."

Supervisor Kozakiewicz: "I don't recall. But I thought it was in- I mean I know it's a pitching ledge away, maybe it's a lob wedge actually now I'm thinking about it, but it's I think it's in the sewer district boundaries. And, also, just- you know, getting back to the comment about a special permit. Again, we know we're not there at the end of the day a special permit but a special permit, I

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know we hear a lot. A special permit is a use that's been envisioned by a Town Board as something that is allowed within a particular zoning district. Then we have to address the criteria of that particular parcel and if they satisfy it, we approve a special permit.

Furthermore, appraisals. I'll be the first to admit they're not an exact science. We have differences of opinion between the County's appraisal. The applicant has an appraisal saying that the property is worth \$11 million. So, you know, if we- so, I mean, again, we have a justified appraisal which was based upon a market value approach. You know, we'll seriously consider what you are saying. We know from Vito (inaudible) of the Peconic Estuary and others that this parcel ranked eight as far as the Peconic Estuary Plan, as far as the CLPS criteria, and as pointed out in Vito (inaudible) letter, satisfied all the four attributes why we should consider preservation of this parcel. We hear a lot of comments today. We'll take them into consideration before we go forward."

Hal Lindstrom: "I understand. And I do understand that there are different kinds of eco-systems on this property, there's different types of plants, animals and birds on this particular property. And it's very important that we preserve these pieces of land. But, again, I feel the price is- what is the average price for a piece of open space? What is the average price going today? Is it \$30,000 an acre, \$40,000?"

Supervisor Kozakiewicz: "I know that-- My understanding is that if you get a subdivided lot in the farm field, it's probably going for somewhere around \$200,000 an acre. That's a subdivided lot in the middle of a farm field. If you can find them."

Hal Lindstrom: "That's for open space?"

Supervisor Kozakiewicz: "That's for buying the (inaudible) fee on a piece of land in the middle of a farm field. On a road, road access, not landlocked. Yes. That's what land is going for now in the town of Riverhead. If you get on water front, I know that there's some parcels that were developed and, again, I can't equate it to a piece on the river because I'm not sure but I can think of some that have been on the Sound where the price has been much more than \$200,000 an acre. Much more. Near a million for an acre on the Sound-front."

Hal Lindstrom: "To me- what bothers me is that it seems like there's such a difference between \$33,000 an acre for farmland and



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now you're talking- "

Councilman Densieski: "It's just for the rights, though, Harold. That's just the rights. This is talking about (inaudible) purchase. We're buying farmland rights for \$30- \$40,000. That's just the right. The landowner still owns the property. Here we're talking about a purchase to own for the towns' people. There's a big difference between development rights and actually purchasing."

Hal Lindstrom: "Okay, thank you."

Supervisor Kozakiewicz: "Yes, sir."

Tom Losandro: "Tom Losandro, Baiting Hollow. You know, this meeting tonight to me is a joke. The people have spoken loud and clear to buy it. They have also said go out and get more estimates. It's very simple. Just go out and get another two, three estimates, present it to the people- "

Supervisor Kozakiewicz: "I respectfully- I think if we summarize the testimony today, I think we'd characterize it a little bit different than the way you characterized, sir. Certain people have certainly suggested that we should have more appraisals because they take issue with the appraisals, but I think there have been a number of speakers who have pointed out how valuable the parcel is, how much they believe it's worth. Certain people who have been in the- you may not have been here when the person who was in mortgages and deeds from the County testified as to what condo units are going for off West Lane in Aquebogue. That person did not suggest that we do a new appraisal, so I just want to make sure that you understand I would disagree with your characterization of what we've heard."

We have heard some very vocal- we have heard some very vocal comments that we should- "

Tom Losandro: "I have a tendency on disagreeing with a lot of things but I have to say in the past two and a half years I've been involved here because of people like you, Mr. Supervisor, okay? I've been a Republican all my life, okay. But the end has come, okay. I am not longer a Republican because of people like yourself and people like Densieski had the nerve and the audacity to call me a liar one night. Okay? And because of you two- "

Supervisor Kozakiewicz: "Sir, we're here to talk about a piece of land on Riverside Drive- "

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Tom Losandro: "I've got nothing more to say to either one of you."

Supervisor Kozakiewicz: "Okay. Thank you. Anybody else who would like to address the Board who hasn't had an opportunity to address us? Yes, sir- I mean, I'm sorry, I didn't see you. Ma'am, yes, come on forward."

Lee (inaudible): "Yes, hi, I'm Lee (inaudible) and I'm a Riverhead resident. Something that I've heard tonight is people comparing this parcel of land with every other parcel of land and the cost per parcel of land. Well, something that we have heard earlier this evening I would like to reiterate, that this is a very special parcel of land. There does not exist another parcel of land like this parcel of land and it needs to be purchased because there are no more. You can't get any more. It's rare. So my suggestion is to buy it now while it's still in the condition it's in. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody else? Yes, hand in the back. Oh, Joan, I'm sorry."

Joan Griffin: "Good evening. Joan Griffin, Baiting Hollow. I'm for the purchase of this land. The question has come up, is it \$3.4 million, \$6.5 million? I personally think 6.5- "

Supervisor Kozakiewicz: "Eleven million."

Joan Griffin: "Eleven million. That the six-- well, let's not discuss that, keep throwing three, four and six-five around. That the 6.5 is a little outrageous. I understand it is a special piece of land but how come when it comes to Epcal or the former Grumman property, \$25,000, \$30,000, \$33,000? We get offers from companies like AES a couple years ago. We get offers from an equestrian place, offers are being given. The town doesn't seem to like them for whatever reasons, they never make it as far as getting to public hearings or they get to public hearing, just disappear, but we give away land at Epcal for the incubator which is the prime 50 acres from what I understand right on 25 near the F-14, and yet here we are \$117,000 for- granted, it's beautiful land. I've seen the piece of property we're talking about. But it seems that you don't care about everything. It seems that you're willing to sell at a low price but buy high."

Councilman Densieski: "Joan, which deals are you talking about that at Grumman that sold for- which ones? Can you name them, please?"

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Joan Griffin: "That we sold?"

Councilman Densieski: "Yes."

Joan Griffin: "The Burman- well, Burman deal wasn't when you guys."

Councilman Densieski: (Inaudible)

Supervisor Kozakiewicz: "I am going to say- "

Joan Griffin: "I'm not sure which ones they are but- "

Supervisor Kozakiewicz: "-- what happened in Grumman, I think the prior speaker was much on point- that was Lee, when she said that when you look at an appraisal, you have to look at the parcel itself, there's comps. But as pointed out, this is a unique parcel. It's on the Peconic River-front. It's within the Peconic Estuary. We've heard comments. So to- again, it has its uniqueness which is part of the reason why the appraisal came in as it did. You know- "

Joan Griffin: "But the appraisal- "

Supervisor Kozakiewicz: "An appraisal in the middle of the farm fields is not I think a comp or relevant to looking at an acre estate on the water and I think that's the point we're trying to make. And, again, we hear your comments and we'll have to duly consider them. We'll have to talk about them and speak with the Deputy Town Attorney who's been helping us and doing a great job acquiring farmland development rights and has worked to negotiate this deal for this open space."

Joan Griffin: "Okay. Just- oh, I lost my train. Okay, thank you."

Supervisor Kozakiewicz: "Thank you. And- "

Councilman Densieski: "Mr. Supervisor, I have a question if you don't mind. If we were to do another appraisal as people have suggested and the appraisal came back higher which I actually believe it could, would be required to or ask to pay more? Is that a possibility?"

Supervisor Kozakiewicz: "Who knows? That's- part of the process here as I've said before is we do not exercise eminent

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domain. We do not condemn properties for development rights. We do not condemn properties for fee simple purchases. The idea of a development rights program and the idea of a fee simple program and that 2% fund we talked about, is to negotiate deals at arm length where we have a willing seller and a willing buyer. So, you know, could it change? Could the terms change, could the conditions change based upon an appraisal that came in and said it's worth \$12 million, \$15 million, based upon increase in property value. Certainly.

Could it come down? I don't know. I think that statistically across Long Island, if you look at the value of residential property when Long Island Association and others did it, they showed that the median value of real estate, especially residential, had risen.

Thank you. Anybody else who hasn't had a chance to address us? Okay, that being the case, the time being 8:26 p.m., declare the public hearing closed."

Public Hearing closed: 8:26 p.m.

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Public Hearing opened: 8:26 p.m.

Supervisor Kozakiewicz: "The time still being 8:26, Barbara, would you read the affidavit of publishing and posting for our next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on September 3, 2003, at 7:15 p.m. regarding the consideration of the Town of Riverhead fee simple purchase of property located on the southeast side of Northville Turnpike."

Supervisor Kozakiewicz: "Hoot, are you setting this up? Okay. Oh, Randy got this one. I'm sorry, tag team. Randy Parsons is going to be here from Nature Conservancy presenting testimony in this.

This parcel is a parcel that's zoned Residence C. It's located on the southeasterly side of Northville Turnpike. As most people know it runs diagonally across the town. And, Randy, if you're ready, I'm going to let you start."

Randy Parsons: "Okay. Thank you. As you said earlier, it's another proposed acquisition with the Town's open space 2% fund.

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Actually I guess it's 2% money would be used to pay off the bond.

This is a 30.62 acre parcel, again, ranked in the Peconic Estuary plan as a 7, 7 out of 8, one lower than the River Club. Some of the criteria which went into giving it such a high ranking, it's within the watershed of the Peconic Estuary, within 1,000 feet of the shoreline of a tidal creek, Saw Mill Brook and Creek which runs into the surface waters of the estuary. The property is within a nitrogen stress sub-water shed. Contains wetlands identified on the National Wetlands Inventory. It's greater than 10 acres in size."

Supervisor Kozakiewicz: "(inaudible), could you close that door back there for us? Thank you."

Randy Parsons: "And it forms a larger aggregate of protected land with 14 acres of County owned property to the southwest.

As you can see, maybe from there, the New York State freshwater wetlands maps show that it's part of a much larger fresh water system moving south into the estuary.

The owners, (inaudible) Realty, are willing sellers at a price justified by the town's appraisal and approved by the Farmland Select Committee. Thank you."

Supervisor Kozakiewicz: "Thank you. I'm sorry about being distracted. Is there anybody else who would like to address the Board regarding this acquisition? The price is \$300,000. Anybody else who would like to address the Board either for or against this acquisition which is the southeast side of Northville Turnpike? Okay. Not seeing anybody wish to do so, declare the Public Hearing closed, the time being 8:29 p.m."

Public Hearing closed: 8:29 p.m.

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Public Hearing opened: 8:29 p.m.

Supervisor Kozakiewicz: "And 8:29 still being the time, let's read the affidavits of publishing and posting for the next public hearing."

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead,

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New York on September 3, 2003, at 7:20 p.m. regarding the special permit petition of Little Flower Children's Services."

Supervisor Kozakiewicz: "Oh, I went past that one. This one, I guess is a little bit de ja vue. We've been here before. This application is to consider a special permit made by Little Flower Children's Services in order to expand or to, well, yeah, expand a prior non-conforming use on their site in Wading River known as Suffolk County Tax Map Number 0600-36-1-2.

The particular application as described in the notice is to construct a respite care and infirmary that would be 15,165 square feet in size. And I think there are representatives here from Little Flower.

Inasmuch as this is a special permit, we need to have you sworn in by the town attorney so if you are going to have a number of you make presentations and you want to do it all at once and be sworn in, why don't we do it as a group?

If you want to identify who the speakers will be, we'll have them all sworn in at the same time."

Steven Losquardo: "Thank you, Mr. Supervisor. Mr. Supervisor, my name is Steven Losquardo appearing on behalf of Little Flower Children's Services. Mr. Herbert Stupp is here."

Herbert Stupp: "I'm the Executive Vice-President of Little Flower."

Steven Losquardo: "And Father Patrick West."

Father Patrick West: "Chairman of the Board."

Supervisor Kozakiewicz: "Okay, would you all raise your right hand?"

Dawn Thomas: "Gentlemen, do you swear the testimony that you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

(Collective response) "Yes, we do."

Supervisor Kozakiewicz: "Thank you. Who wants to lead off?"

Steven Losquardo: "Mr. Supervisor, Members of the Board, I

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will lead off. This is a request for a special permit to construct an infirmary center on Little Flower's Wading River campus.

We have presented this in some aspects to the Board previously. We feel that it's a very important application on behalf of Little Flower. It is in the nature of an infirmary. That is the building that we request special permission to have constructed. There has been some issues in the past we recognized where certain programs which were proposed for Little Flower were meshed unnecessarily or confused with the proposal here today before you. We've made very clear to you, or at least we've endeavored to make very clear to you that none of those proposals previously are on the table.

There is no such confusion anymore. We've appeared at work sessions to make it very clear that this is a proposal solely and exclusively for an infirmary and respite center to benefit children, to provide proper health care for children who happen to reside on the Little Flower campus.

There are no other aspects to the program as had been suggested previously or the confusion that was generated in certain media accounts. All of that as we made very clear to you or at least as we tried to make very clear at a work session is now off the table. We've put that in writing. We presented that to this Board.

This is in the nature of an infirmary. I repeat again, to provide proper and adequate care for the children who reside on the campus. It's solely for that purpose.

It's limited in nature. It's consistent exclusively with the Little Flower mission of serving children and assisting children, and as we made very clear previously when we appeared at the work session, again, to clarify some of the issues that were raised previously and, of course, we do appreciate the time that the Board gave us at the work session.

The present infirmary is in very, very poor condition. Mr. Supervisor, you might recall the photographs that we presented to the Board."

Supervisor Kozakiewicz: "I think, yeah, they were presented to the entire Board."

Steven Losquardo: "Yes. And the conditions were deplorable and we recognize that and no person at all, those associated with Little Flower, those who believe in Little Flower and believe in the

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mission of assisting children, no one wants the children to have to be in an infirmary that is in that condition. And that's what this is all about.

I will ask Mr. Stupp to come forward and provide some more details. But, again, I just wanted to stress at the outset and Mr. Stupp will add some and Father West will add some, but I wanted to stress very clearly that this is in the nature of assisting children and providing adequate care for children, limited in scope and nothing to do with anything that might have been suggested previously. Thank you."

Supervisor Kozakiewicz: "Thank you."

Herbert Stupp: "Thank you, Mr. Supervisor and members of the Council for letting us appear once before. In a previous discussion, I know there was a lot of debate about six and a half million dollars and if approved this project would open up 2.975 million dollars in federal funds that have been appropriated and are just waiting for this approval.

We're not following the federal funds, but rather the then Congressman at the time was talking to Father John Fagan and appreciating his vision for this project and in particular how dilapidated how infirmary was back in the late 1990's.

I've had the fortune of serving federal, state and local governments and usually projects of this kind involve some kind of trade off. But from everything I can possibly foresee, this provides only positives for all of the populations affected. It's a big positive for the children who instead of having to be treated in an infirmary as we said is really outmoded and dilapidated, they can be treated in a modern state of the art facility. Those kids who need extra attention on our campus can get that in a modern, again, state of the art, respite facility.

It's a big plus for taxpayers because right now kids who will be dispatched for no really good reason to a hospital or some other facility, can receive extra attention in our respite center.

For Wading River, here's a project, although a large building does not go into any of the wooded area, does not really impact the essentially wooded open space area of Little Flower.

And, also, one issue that we have been concerned about and are addressing, we want to be sure that we can account for all the



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children at Little Flower at all times and in this facility as we're planning it we'll have additional electronic ways to monitor children who might want to leave the building, and also this facility has additional supervision versus other programs, in addition to the nurses who are, of course, always there 24 hours a day.

One of the issues that we've heard occasionally is why do you need this much square footage. I just thought I would bring up a map or scheme rather of the building as proposed because some people think, well, gee, they really want to do all sorts of, you know, they have some sort of hidden agenda. But, clearly we're de-marking for you and I'll turn it to the public in a second, the bedrooms here out of all this space are in purple. So you can see, it's really- "

Supervisor Kozakiewicz: "Do you want to just put that on the- that easel and you can kind of- I mean, I think for the public it might be better. We can take a look at it later. I mean, just as you describe it, we'll make notes which one depicts what."

Herbert Stupp: "You can see the bedrooms on the right are for the infirmary. Again, we have an infirmary here on the campus but it's seriously out of date and- "

Supervisor Kozakiewicz: "And the color of the bedrooms again? That was the purple?"

Herbert Stupp: "The purple."

Supervisor Kozakiewicz: "Okay."

Herbert Stupp: "Or it's probably some new marketing term for it, some kind of lavender or whatever."

Supervisor Kozakiewicz: "I'm sure. If you went to Crayola it would be some kind of- "

Herbert Stupp: "A lot of the space is- the blue or sort of aquamarine blue is for offices and then much of the other space is open area or spaces that are common in nature, that support the building, laundry space, meeting rooms. Rooms where children can receive additional tutoring or, you know, private conversations. Kitchens in each area that support all this. So it really is basically what is needed and not much extra space for this type of project."

I have with me also- I gave each of you- I didn't have the pleasure of meeting Councilman Lull before, but the other elected

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officials up here got a series of Q and A's where we presented, you know, all the potential questions we could think of. This is the same version for any member of the public who's interested. The only thing I added was some introductory paragraphs. If you want another copy, I'd be glad to present them and I also have- "

Supervisor Kozakiewicz: "I would ask you to leave them for the public to look at as far as the question and answer. Certainly, there's people who are going to come up who have specific questions about what it is Little Flower is looking to do and as pointed out in the past there was some, I think, some questions that surrounded the Martin (inaudible) building and that program and I'm assuming that particular program that was being proposed for Martin (inaudible) is completely off the table and will not be considered by Little Flower now or ever."

Herbert Stupp: "That's right."

Supervisor Kozakiewicz: "Okay."

Herbert Stupp: "As far as- Steve Losquardo was referring to that and mentioning some other issues that had been confused in the past and we definitely have made- we've gone to great pains to persuade everyone that we talked to in the town, we have given up presenting that program within the town of Riverhead."

I'd be glad to take questions now or introduce Father West."

Councilwoman Blass: "Mr. Stupp, I would just like to have you clarify something. I am reading from the Q and A that which you previously provided us and it says that the structure is slated to be 14,473 square feet and I thought the introductory remarks just referenced 15,165."

Herbert Stupp: "What we have here are the very latest- Joe Canazaro (phonetic) went over- "

Councilwoman Blass: "So this is different?"

Herbert Stupp: "-- yeah, went over the scheme from the architect and, Joe, what I have here is also 14,473, is that what you have?"

Supervisor Kozakiewicz: "Well, he has to be sworn in so we'll have in sworn in and he can address that issue of square footage."

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Herbert Stupp: "Okay, this is Joe Canazaro, Director of Facilities."

Supervisor Kozakiewicz: "Okay. Why don't we have Mr. Canazaro sworn in, please?"

Dawn Thomas: "Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?"

Joe Canazaro: "I do."

Supervisor Kozakiewicz: "Okay. I think the question that was posed is why did we notice 15,165 square feet when it was actually 14,000 according to the plans- "

Joe Canazaro: "There was several architectuals done on this and the final architectuals are 14,473 total square feet."

Supervisor Kozakiewicz: "Fourteen thousand- say it again."

Joe Canazaro: "Fourteen thousand four hundred and seventy three total square feet."

Supervisor Kozakiewicz: "Okay. Okay, thank you."

Herbert Stupp: "And those numbers are reflected (inaudible)."

Joe Canazaro: "So perhaps you would want an extra copy of his handout today because it will reflect the true numbers."

Supervisor Kozakiewicz: "Okay. Any other questions, Barbara?"

Councilwoman Blass: "No, sir."

Supervisor Kozakiewicz: "Okay."

Herbert Stupp: "Let me introduce Father Patrick West who's the Chairman of Little Flower's Board. He's been a pastor of the founding parish and (inaudible) of Little Flower's and makes him the Chairman of our Board so we're appreciative of him coming out to Riverhead."

Father Patrick West: "Good evening, Mr. Supervisor and Members of the Board. As the Chairman of the Board of Directors of Little Flower and the Bishop's representative on the Board, one of my responsibilities is to make sure that the activities, the projects

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and the things that the agency does now stays true to its Catholic identity and to its roots, to the vision of Little Flower as it was established.

I worked very closely with Father Fagan when he was the Executive Director of Little Flower and as you can well imagine working with Father Fagan there was certainly no problem about the identity and the vision and staying true to that.

Since his retirement though, I can tell you that the agency has not moved one iota away from its identity or from its goal which has always been to provide a safe and healthy and nurturing environment to children regardless of race or creed.

The program or the project that we bring before you again I guess tonight is one that every inch of this new building that's being proposed has the children in mind and I respect and I understand your responsibility to scrutinize and to question and to know exactly what every bit of this building is all about but in the details of all the rooms and the square footage and where it is on the property, the one thing that I would hope doesn't get lost in the discussion is the goal and that's the- the goal has never changed and that is to serve the needs of the children and to serve them as best as we possibly can.

And it was said before that the present infirmary is in somewhat disrepair. It is. But it's not just in disrepair, it's older than I am so it's very old. It's obsolete. It just doesn't provide for the needs of what the children need today and to provide the best possible care that we can. It wouldn't- it couldn't- it would be irresponsible of us, I think to tear down what we have and just to rebuild it because, again, it just is not adequate to provide for the needs of the children in the best way possible. I'm thinking of their needs and all of their needs, medical and therapeutic.

So on behalf of the Board, I strongly, again, respect your goal and your charge to scrutinize every inch of space in the building, but I also strongly recommend its approval so that we can continue to provide a safe, healthy and nurturing environment for the children entrusted to our care. Thank you."

Supervisor Kozakiewicz: "Thank you. Anybody have any questions for the Father?"

Councilman Densieski: "I do have a question, maybe for Mr. Losquardo or for Father. There was a lot of talk about the Martin

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(inaudible) centers and any similar type centers there. Would you be willing to covenant, restrict against any similar centers in any possible approvals?"

Steven Losquardo: "Yes, sir. In fact, we did make that affirmative representation at a work session and we're certainly more than happy to put our money where our mouth is so to speak. We welcome that opportunity for the benefit of the Board, for the comfort level of the community. That's our intention, that's our stated goal, and we would be very happy to adhere to that if the Board so desires."

Councilman Densieski: "One further question. Did we ever get the percentage of people that are going to be treated in this new center that are on site and the percentage that are treated from off the site?"

Herbert Stupp: "Well, the infirmary is for kids who are on site and the respite center as the Q and A here indicates is eight children, eight spaces for children from the campus, eight for other kids coming from Suffolk County within our system. So typical would be a foster child coming in."

Councilman Densieski: "Okay. Thank you."

Councilwoman Blass: "For Mr. Losquardo, please, what will be the disposition of the old infirmary? What's going to happen to that space?"

Steven Losquardo: "That's not exactly determined because it's really in such poor shape that we'd have to determine what might be in the future of possible use consistent, of course, with town code. So that might require at a certain point in the future further discussions with the Building Department but nothing now that's necessarily planned."

Councilwoman Blass: "Thank you."

Supervisor Kozakiewicz: "So it would be- would it be fair to say that it would be limited to administrative or office type of use and it would not be envisioned for future residential use?"

Steven Losquardo: "At this juncture, yes, because that would be consistent (a) with the covenants that exist as you well know."

Supervisor Kozakiewicz: "That was my question."

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Steven Losquardo: "And (b), of course, consistent therefore with town code, that's our sole intention."

Supervisor Kozakiewicz: "Thank you."

Steven Losquardo: "Thank you."

Supervisor Kozakiewicz: "Anybody who would- unless there's any other- yes. Sandra Mott, please. Dawn."

Sandra Mott: "Hi. Sandra Mott, Riverhead."

Supervisor Kozakiewicz: "Sandra, I'm sorry. We have this- we've got to have you sworn, I'm sorry."

Sandra Mott: "I'm sorry."

Dawn Thomas: "Do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Sandra Mott: "Yes, I do. I don't think I've every spoken on any issues on Little Flower but I do have- since I'm here I have a few questions. I was wondering how many children are actually there in total, how many children are there from Riverhead, how many children are there from Suffolk County, and how many children are there from elsewhere? And I'd like a definition of respite center because they were interchanging respite center with infirmary. And then they went and discussed extra attention at the respite center and then there was an indication keeping better count of the children. And the dilapidated nature of this infirmary. I don't know how things- if there- no offense anyone- but if this is a child oriented center, don't you think that dilapidation and the word should never be used in the same sentence with the children's care center."

They do have, I'm sure access to lots of different kinds of, if not money, then individuals and corporations who can help them accommodate that. That makes me very nervous that this is a dilapidated situation already and if that's the case I think not only the town Building Department but the Suffolk County Health Department and New York State Health Services should be investigating it because if it's dilapidated then there's concern as to fire concerns and so on and so forth.

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And if that's just a word to get people into a concern that, you know, they need new. Yeah, we all need new but sometimes we can't get new, we have to use what we have. And that's basically it.

And what are the ages of the children. I've never heard- I mean I hear child being used constantly but what ages are the children up there. I've never visited. I've passed by a few times but I've been listening to other people's comments. How many kids are from Riverhead? How many from Suffolk? How many from elsewhere? Definition of respite, definition of infirmity. Ages. Extra attention and keeping count and dilapidated. Those are my basic concerns. And thank you."

Supervisor Kozakiewicz: "Okay. Rather than have a- unless there's others who want to speak. Are there others who may want to address, I think there's going to be other questions posed. Why don't I let you go, go ahead, because I don't see anybody jumping right now. Sure."

Steven Losquardo: "Mr. Supervisor, Members of the Board. I know that Mr. Stupp can answer some of the specifics of those particular inquiries but I'd just like to add in general that I think that's perhaps an unfair take or an unfair twist on what's being presented especially with respect to the infirmity being dilapidated.

Let me say this. I did say it, that was just said here. I said it and I did and I stand by it and this Board, I respectfully submit would concur on any objective level looking at the pictures which were presented at a work session previously. Let's- "

Supervisor Kozakiewicz: "Why don't you define dilapidated so that maybe- it's old, it's aged."

Steven Losquardo: "It's old, it's aged."

Supervisor Kozakiewicz: "But there's not unsanitary conditions which would cause- "

Steven Losquardo: "No."

Supervisor Kozakiewicz: "Okay."

Steven Losquardo: "But the heating system has begun to fail. And let's recall a few things. Number one, this is a charity, and charities do not perhaps have the type of money available that a private developer or a private corporation or someone else would.

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This is a charity, so money at times may be tough.

Number two, this is quite old. I won't say it's quite as old as Father West might think it is referencing his own age, but it is quite old, the infirmary. And with respect to that age, things run down, things break down. And I think overriding all of that is the fact that medical care in general jumps by leaps and bounds every five years or so, if not more often nowadays and imagine the state of the facilities but also the equipment and the type of care that can be given for something that is well over 50 years old as opposed to what might be available today. And isn't that what we want for children there to have?

So I just wanted to point that out because I think that was somewhat of an unfair characterization."

Councilman Densieski: "Mr. Losquardo-

Steven Losquardo: "Yes, sir."

Councilman Densieski: "I think what Sandra was trying to say was is it clean. I think that's the point. Is it clean and safe. I think that was more the point rather than old."

Steven Losquardo: "Yes. And Mr. Stupp will address that. But clearly it is clean because the people there are quite devoted and they're quite diligent about their work and they're quite devoted in the way they attend to the children there. It is clean and it is safe. But it's not what we would want and not what anybody would want for the children who are attended to there.

Now with respect to certain specifics, I know Mr. Stupp wanted to address a few of those specifics as well. I'll just pass over to him now."

Herbert Stupp: "We just in October received a visit from the State Office of Family and Children Services and we got a passing grade and they were okay with some of the health, safety, hygienic aspects of the infirmary. But as Steve has mentioned, it is run down. The hallways are not the hallways you'd expect in a health facility. They're not as wide. There's not the ventilation we want for all the staff. There's also a staff issue, a morale issue, working in run down quarters. Again, as Steve said, the heat is a major issue as well that we're confronting.

As far as the other populations, on campus now we have a ceiling



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of 95 children on the campus now versus 300 children that were there in past decades. As of today, there are 89 children on site. Over 40% are from Suffolk County, the remainder are from New York City, you know, much lower New York City percentage than I think ever before. I cannot break down the population unless someone on my staff happens to know what that might be as far as Riverhead. I'm not sure that we ask that when the children are remanded to us.

An infirmary is just what you'd expect it to be, the kind of place where children come for flu or they're feeling feverish or medications or whatever else that they might need that needs to be administered to them. A respite center is a kind of- is a wing that will house kids temporarily for up to 21 days. We expect the typical kid to be there just several days for extra attention. Kids that may not be prospering or may be acting out in one of the cottages and need some extra attention will get some additional therapy and attention in the respite center.

So that's the- those are the best definitions I can give to a lay person about infirmary and respite. I hope that answers- does that answer all your questions?"

Sandra Mott: "No. But as a lay person, respite center seems that- 21 days, what are they (from the audience - inaudible)."

Herbert Stupp: "It could be those kinds of, you know, emotional type issues for a child, you know, whatever the issue is. You know, each kid is different."

Councilman Lull: "Okay, if we're going to have a colloquy we're going to have both of you at the mike."

Sandra Mott: "Sorry. The ages of the children?"

Herbert Stupp: "Are generally eight to 13."

Sandra Mott: "And I didn't ask this question but why are they actually with your facility, not in foster care?"

Herbert Stupp: "Some of these kids have intact families, some don't. They're here for either remanded by a school district or because they have an emotional problem or something else that needs attention, to get them out of the environment that they're in. So, again, that varies from child to child. That's nothing new as far as the typical child in Little Flower's care. And they're with us because agencies at the State, City, local, Suffolk County, New York

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City, Federal level have faith in us and have made us one of the larger agencies serving children who have problems in the New York City and Long Island area."

Councilman Lull: "Okay. Is there anyone else who would like to express themselves on this topic? Yes."

Dawn Thomas: "Would you state your name, please?"

Josephine Laursen: "My name is Josephine Laursen. Josephine Laursen. L-A-U-R-S-E-N."

Dawn Thomas: "Mrs. Laursen, do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Josephine Laursen: "I do. I'm a member of the Little Flower Women's Guild for the past 15 years and our main agenda was to fund raise to give these children some of the things that they don't have. And so the only thing I can say is that I hope you will give this special permit to have this infirmary and respite center approved. Thank you."

Councilman Lull: "Thank you. Yes. Yes, ma'am."

Dawn Thomas: "Your name, please?"

Mary Dennehey: "Mary Dennehey."

Dawn Thomas: "Dennehey?"

Mary Dennehey: "Yes."

Dawn Thomas: "Mrs. Dennehey, do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Mary Dennehey: "Yes. I'm- I have been a volunteer. I've taught at Little Flower for more than 10 years and I want to talk about how the children prosper there with the care that they have. You can see from- it's really a beautiful thing, the staff there and the work that is going on, all- people don't really know.

But they do not have a health facility that is up to date. Now I wouldn't got to a 70 year old hospital. That kind of care is so outdated and we really do need to give them not only the education help, the psychological help, the good food, whatever, security, but

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we also should have health facilities for them. And on site, not that they have to go off site for hospital and medical care. Thank you."

Supervisor Kozakiewicz: "Thank you. Okay. Anybody else who would like to address- who hasn't had a chance? Yes, sir, come on up. And we need you to be sworn in. Your name, please."

Barry Nabor: "I just have a question."

Supervisor Kozakiewicz: "Well, if you're going to present a question, we still have to have you sworn in."

Barry Nabor: "Oh, okay."

Supervisor Kozakiewicz: "Okay."

Barry Nabor: "Barry Nabor, Wading River."

Supervisor Kozakiewicz: "Okay, please raise your right hand."

Dawn Thomas: "Do you swear the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Barry Nabor: "Yes, I do."

Supervisor Kozakiewicz: "Okay."

Barry Nabor: "It's not really testimony, I just have a question. It says build a structure. What's it going to be built out of? Is it going to be wood, is it going to be brick, is it going to be stucco? Okay. Now, my main concern is that this is all woodland and I would say if it was brick, it would be a lot safer. We're thinking of kids' safety. Let's see, what else. Yeah, that's about it."

Supervisor Kozakiewicz: "Okay, thank you."

Barry Nabor: "I think that's important."

Supervisor Kozakiewicz: "Okay. Is there someone who wants to address that? Yeah, please identify yourself for the record."

Joe Canazaro: "Joe Canazaro, Director of Properties. We have cottages on the campus and the structure is going to mimic the

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cottages. It will be a wood frame vinyl siding structure but it will have state of the art fire suppression and it will conform to all safety and security codes in that sense. We just wanted to maintain-

Barry Nabor: "One story?"

Joe Canazaro: "Yeah. It's a one story building."

Supervisor Kozakiewicz: "All right. You've got to address us so- "

Joe Canazaro: "It's a one story building."

Supervisor Kozakiewicz: "It's a one story building and when you talk about, it will be sprinkler?"

Joe Canazaro: "Wood frame, yeah, full state of the art fire suppression and security requirements."

Supervisor Kozakiewicz: "Okay. Anybody else who hasn't had a chance to address the Board? Yes, hand in the back. Come on up."

Nancy Wislowski: "Nancy Wislowski"

Dawn Thomas: "Mrs. Wislowski, do you swear the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Nancy Wislowski: "I do."

Dawn Thomas: "Thank you."

Nancy Wislowski: "Supervisor Kozakiewicz, Board Members Blass, Sanders, Lull, and Densieski. Thank you for allowing me this opportunity to address you concerning the Little Flower infirmary. I have worked as a registered nurse in the infirmary for 27 years and I've been a resident of the town of Riverhead all my life.

I came back to work in Riverhead. The infirmary is about 70 years- "

Supervisor Kozakiewicz: "Glad to have you."

Nancy Wislowski: "Thank you. And anybody that knows me knows how difficult this is for me to get up here and speak."

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Supervisor Kozakiewicz: "Well, make yourself welcome and go ahead."

Nancy Wislowski: "I feel like some of my distant relatives. The infirmary is about 70 years old. It's very difficult to work in and it's no longer conducive to the delivery of vital health services to our children. In keeping with our purpose to provide quality medical care to our children, it is time for a new infirmary.

The infirmary is clean, safe, sanitary. We have a full time housekeeper and we have nurse's aides, we have nursing assistants, we have a full staff. All our required mandates are met by the State, the City. All our medical assessments are passed. We recently had an assessment in March and the medical department received 100%.

It is time for a new infirmary. It is time for a modernized infirmary for the children to have their medical needs met on the grounds and not be taken off for every little procedure. It is time for a modernized infirmary to be essentially located closer to the cottages for the nurses to respond to the medical needs of the children in a timely fashion and treat emergencies promptly. Right now, all the cottages where they built the new cottages are down in one area and we're up back in the old area and we need to be closer to the children.

It is time for a modernized infirmary to be furnished with state of the art equipment such as a sound proof hearing exam area, an EKG monitoring system set up to a local hospital, to provide premium health care to our children.

It is time for a modernized infirmary where sick children can recover unimpeded and return to day to day activities as soon as possible.

The children come to the infirmary when they are hurt, anxious, sick, scared and vulnerable, as we all are when we're sick. It is time for a new infirmary to be a warm, safe, comfortable place where children can go to be healed and supported.

The children could not be here tonight to speak, but I feel they deserve better, a better facility when they're sick and wounded. Thank you for your time and consideration."

Supervisor Kozakiewicz: "Thank you. Anybody else who hasn't had a chance to address us yet? Yes, sir, come on forward."

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Councilman Densieski: "Mr. Losquardo, do you have Mother Theresa coming up next?"

Supervisor Kozakiewicz: "No, no, no. You don't have to answer that. Let the speaker come up so- he needs her."

Barry Gilmore: "Barry Gilmore, Wading River."

Supervisor Kozakiewicz: "Yes, sir."

Barbara Grattan: "Your name again? Can I have your name again?"

Barry Gilmore: "Barry Gilmore."

Supervisor Kozakiewicz: "Okay, Mr. Gilmore. Raise your right hand, please?"

Dawn Thomas: "Do you swear that the testimony you are about to give to be the truth, the whole truth, and nothing but the truth, so help you God?"

Barry Gilmore: "Yes, I do. Actually, I just have a question. I'd like to know on campus exactly where this building will be located because my property does abut Little Flower."

Supervisor Kozakiewicz: "Sir, do you want to flip that site plan around? Okay."

Joe Canazaro: "It's highlighted in blue."

Barry Gilmore: "Where's the entrance?"

Joe Canazaro: "The entrance is right here. (Inaudible) This is the entrance on North Wading River Road."

Supervisor Kozakiewicz: "Just so you- you're pointing and you're describing things for the speaker. I presume you have the site plan so that it's pointing north- up is north? Okay. Just so- you're showing the site plan which is facing upward with north in the northerly or upward direction. Okay. And you're pointing to where on the property?"

Joe Canazaro: "I was pointing to North Wading River Road, south, the entrance is here. You go through the first intersection, you make a left and it's right here. The cottages are all here. The

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current infirmary is right here."

Supervisor Kozakiewicz: "So the current infirmary is where in relationship to the cottages? North of?"

Joe Canazaro: "It's north of the cottages."

Supervisor Kozakiewicz: "Okay. And the proposed location of the infirmary would be- okay. So it's further south from where the current infirmary is located. Okay. Thank you."

Barry Gilmore: "Southernmost area to be developed then. And it's right off the entrance. I know, I live right there. Okay."

Supervisor Kozakiewicz: "The distance from the road? Do we have an indication of how far that would be from North Wading River Road, the distance?"

Joe Canazaro: "Half a mile."

Supervisor Kozakiewicz: "Half a mile. Okay."

Barry Gilmore: "Thank you."

Supervisor Kozakiewicz: "Thank you. Also I know that you did a Q & A, Mr. Stupp. I think probably for the record while it was given to the Town Board, I don't recall if it was given to the Town Clerk. I believe one of those should be filed with the Town Clerk and become part of the public record tonight as well and I would ask you if you would do that unless there's objection. Okay. Just so that it's on the record and it's part of the official record maintained by the Town Clerk's Office. Thank you."

Anybody else who hasn't had a chance to address this particular subject matter and raise questions with the Board? If not, then I'm going to go back to Sandra Mott who I know has been sworn. You are still sworn, Sandra."

Sandra Mott: "Sandra Mott. The gentleman referred to the fact that they didn't have a lot of money but they must have funding sources which I'm going to presume are federal and state so that they must be getting- I hate to use the word, but they're getting so much money per child for their care for however long they're there in addition to the donations that come in from their supporters. That's just a statement of fact; I'm going to presume it's true."

As to traveling. Is St. Charles Hospital not far from that

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location? Because Central Suffolk Hospital- would they not be equa-  
distant from that location?"

Councilwoman Blass: "St. Charles is much farther."

Sandra Mott: "So Central Suffolk is where they would have to be going. Okay, now I have seen- I have half an hour- well, you know, I have elderly parents and we travel an hour to go to our doctors. No offense, an infirmary is fine. But when you're talking about extra high quality this, that and the other equipment, that's coming out of tax dollars money, in some form or another. Unless it's donated by the companies.

My basic concern is, yes, the children need care. Yes, they need services. Nobody is disagreeing with that. But this presumption that they can't travel from point A to point B to get medical care is really absurd because I see them traveling when they're doing their day trips and going here and shopping and wherever. We have a wonderful hospital over here that's highly qualified staff at Central Suffolk, where am I- over there, right. And fabulous staff. I'm sure your supervisory staff are trained and licensed at your infirmary but when you have to go to a hospital, you go to a hospital. You do not become redundant and repetitious with medical treatment and medical equipment. That is why a lot of people cannot gain access to medical care in general.

There are 89 children here. I'm sure you have adequate staff to drive them from point A to point B and a half an hour is not that bad. In an emergency, they come through the EMS, I would guess.

And as to Mother Theresa, I was thinking that before someone said it. You know, maybe if we all took Mother Theresa's approach to life, keep it simple and you can do more for many we'd be a lot better off. And maybe that consideration since it's a church sponsored situation- I'm not denying that they should have additional upgrading of whatever they have now but this expansion and top of the line this, that and the other thing, we should all be so lucky. A lot of people don't have any insurance and have no health care. So no offense."

Supervisor Kozakiewicz: "Anybody else who would like to discuss this matter or address this Board with respect to the special permit application of Little Flower Children Services? Not seeing anybody wish to address us- any questions from the Board? If not, declare the public hearing closed, the time being 9:11 p.m."



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Public Hearing closed: 9:11 p.m.

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Public Hearing opened: 9:11 p.m.

Supervisor Kozakiewicz: "The time still being 9:11 p.m., Barbara, would you read the affidavit of publishing and posting for our next public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on September 3, 2003, at 7:25 p.m. regarding the consideration of the proposed local law to repeal and replace Chapter 90 entitled Special Events of the Town Code."

Supervisor Kozakiewicz: "Okay. The Fire Marshal is here because I know he's been very involved in the redrafting or drafting of what's essentially a rewrite, repealing of the current Chapter 90. The Chapter 90 code as many of you are aware from attending the Town Board meetings is the provision of the Riverhead Town Code that deals with the Town Board's approval of special events as we presently address them.

This legislation is being considered after going through, I think, quite a few draft forms, a lot of discussion between Town Attorney's office, the Fire Marshal, Chief of Police, Town Board, and we're now here to hear from you as far as your comments and concerns and ideas with regard to this proposed legislation.

The highlights, I guess, or the low lights whichever way you want to describe it, are that we include some further definition of special event. We describe it as any form of entertainment, eight weeks of duration and less. We exclude and provide that a special event will not include any activity that's being conducted at a permanent facility which has a valid use permit. So that a particular place- if it's an entertainment hall and they're doing entertainment within it and has a valid CO, they would not be required to provide for a Chapter 90.

Furthermore, it- we also exclude from consideration of this Chapter, an activity where we have less than 100 spectators at one time during the event.

The other aspect of this consideration or this legislation is

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that we differentiate between different types of events. We have a small gathering, we have a large gathering. A small gathering requires a special event short form application similar to a short form environmental assessment form. A large gathering requires a special event long form, again, similar to a long form environmental assessment form.

We define a small gathering as anybody between 100 people to 1,000; a large gathering anything that's more than 1,000 spectators, and we also talk about the duration, if it's more than 14 hours per calendar day.

A short event is required to be filed with us 40 days in advance where if it's a long form or a large gathering, we are requiring the applicant to file at least 120 days in advance because we presume and know that it's going to require more work on our part.

We set forth provisions for general liability insurance. We also provide for in Section 90-4 a mechanism for reimbursement, reimbursement for costs of police, ambulance protection and/or other town services.

We also set forth criteria so that when we make an adjudication on whether a special event should be approved, we identify those in 90-5 Subsection B and we also further define what the application fee should be, upping them from the current \$100 to \$200 for a small gathering to \$500 for a large gathering. We still allow them to be waived, however, at the discretion of the Town Board.

In addition, if someone does not file on time, as I indicated, it's 40 days for a small event, small gathering; 120 days for a large gathering, we basically provide for a doubling of the fee. If you file late for a small gathering, it's a \$500 application amount; for a large gathering, it's \$1,000.

We also provide for, I think, and this is probably something that's beneficial for the Town Attorney's Office when they deal with violations of the Code, a penalty provision which allows for a fine of not less than \$250 and up to \$1,000 for each offense where someone does not bother to get a Chapter 90 approval.

Anybody who wishes to address us on the legislation? This is your opportunity."

Councilman Densieski: "Mr. Supervisor, I'd like to go first, if you don't mind, because I did- "

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Supervisor Kozakiewicz: "No, I want to hear from the public first."

Councilman Densieski: "All right. Thank you. I did talk to a couple of the farmers today who are very concerned about the minimum fee being \$250 because some of these guys currently pay \$100 for their hayrides and some guys don't even bother to get the permit. But the honest people that do spend the \$100 are very concerned, you know, they make a minimum on these things, now it's going to be \$250 and I think that's something that we should address and I just want to put that on the record at the public hearing."

Supervisor Kozakiewicz: "The application fee is \$250, yeah, for a small gathering."

Councilman Densieski: "Yeah, too much."

Supervisor Kozakiewicz: "All right. Anybody else who would like to address us? I saw Mr. Talmage, you're up. You wish to address us on this? Okay. Just exercising your legs? Stretching. Working out at the gym this morning, a little sore. Mr. Johnson, the Fire Marshal. No, you don't have to be sworn for this one. Unless you want to be. Do you swear to tell the truth forever and ever?"

Bruce Johnson: "Forever and ever. It's better to be sworn in than sworn at."

Supervisor Kozakiewicz: "Go ahead."

Bruce Johnson: "I just want- Bruce Johnson, Riverhead Fire Marshal. I'd just like to address Councilman Densieski's comment. One of the things we did a very eloquent summary of the Chapter 90. One of the other things that we looked at is the number of small-very small events that are coming before the Town Board for resolution processing, things like tent sales and other minor events that would now fall below the 100 people at any one time. And the idea is for that to be a permit issue by the Police Chief and myself, just like the Police Chief currently would issue a permit for a block party or for a parade.

And I believe that if you look at the definition, the hayrides and things like that unless they have a real large hay wagon, that's going to have more than 100 people at a time, they would actually be under that other permit application that's going to be Chapter 83 and that is in the process of being revised right now. Unfortunately, we don't have it ready for public hearing, but I believe that that

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application, there was no fee. So actually now the farmers would be receiving a benefit as well as people that are doing minor tent sales and things, they're going to receive a permit and there will be no fee for that, provided that it's underneath that 100 people, less than 14 hours a day."

Councilman Densieski: "Very good, Bruce."

Supervisor Kozakiewicz: "Thank you for addressing it."

Bruce Johnson: "Not a problem."

Supervisor Kozakiewicz: "And clarify. Anything else- you want to take an opportunity- and I know- we're not going to let you go too far."

Bruce Johnson: "No, I have- just if anybody has any other questions, that's why I was here tonight, to- "

Supervisor Kozakiewicz: "I think there are some questions from Councilwoman Sanders."

Councilwoman Sanders: "Yes. Bruce, were the hours of operation- were they the same as in the old- the 9:00 p.m., I'm sorry, when the- shall be open to any child under the age of 18 between the hours of 9:00 p.m. and 9:00 a.m. Was that consistent with the old definition of hours of operation?"

Bruce Johnson: "I see the Supervisor has been told but I don't recall that that was addressed at all in the current code and that has come up at a couple events- "

Supervisor Kozakiewicz: "The current code does have a- 90-6- 9 to 9. You're talking about under age?"

Councilwoman Sanders: "Yes."

Supervisor Kozakiewicz: "I think those provisions were a complete rewrite and along the same terms and conditions of the existing Chapter 90."

Councilwoman Sanders: "Same."

Supervisor Kozakiewicz: "Yeah."

Councilwoman Sanders: "Would there be- I'm trying to be

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practical and realistic here, and I don't think that 18- under the age of 18, I think maybe 17 would be more appropriate. Most children are driving at the age of 17. Many are employed at the age of 17. Many are still working sometimes during these events, most of the carnivals and things like that until 7, 8:00 at night, and you're almost penalizing them because they're not 18. They're responsible, young adults and I would either make it 17 for those children who are driving and change the hour to I don't know how many 17 year olds need to be home by 9:00 at night and if they're at a carnival or an event, that they're there until at least 10:30 or 11:00. I don't know if that's- "

Bruce Johnson: "No. That sounds very reasonable."

Councilwoman Sanders: "-- that would be a consideration, I would appreciate that. I have some other comments that I will just submit to you rather than take a lot of time here tonight."

Councilman Lull: "Bruce, I have one, too. I know that we talked about this briefly. This is going to mean a great deal to a large number of people. There are hundreds of people who apply for these permits during the course of the year. What I would recommend is that we write into the code that this code take effect 90 days following the signing or the approval by the Board so that we can communicate in some way or another with everybody who's gotten the permit in the last two or three years, to let them know so that we don't immediately put them in danger of being contrary to the law."

Bruce Johnson: "That certainly sounds reasonable and also we did send out notices of the public hearing tonight along with a copy of this to everyone that has filed for a Chapter 90 application over the past year and I think the Council members and I have had some contact with those people with some minor comments, nothing that they felt was important enough to be here tonight, but we did get comment from people that this would be directly affecting."

Supervisor Kozakiewicz: "Thank you."

Councilwoman Sanders: "One more question. On the short form specifically it indicates that the application must be submitted 40 days in advance of the event. Does business calendar- should it specify whether those are business or calendar days? I think that makes a difference."

Bruce Johnson: "Okay."

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Councilman Lull: "And along the same lines, then 120 days which was basically four months- "

Councilwoman Sanders: "Correct. Is it business or calendar days?"

Councilman Lull: "-- will be calendar days."

Bruce Johnson: "Yeah, I think our intention is calendar days but it should be specified so that there's no question."

Dawn Thomas: "The Board can adopt the code with an effective date and really it's not- it wouldn't be a substantial change to the legislation, so it wouldn't require a second public hearing. Other changes may but that particular one would not."

Supervisor Kozakiewicz: "Okay. Any other questions for the Fire Marshal? If not, anybody else who would like to address us from the public, whether a good idea, bad idea? Not seeing anybody wish to do so, I declare the public hearing closed, the time being 9:22 p.m."

Public Hearing closed: 9:22 p.m.

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Public Hearing opened: 9:22 p.m.

Supervisor Kozakiewicz: "The time still being 9:22 p.m., Barbara, would you read the affidavit of publishing and posting for our final public hearing?"

Barbara Grattan: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall, Riverhead, New York on September 3, 2003, at 7:30 p.m. regarding the consideration of the proposed local law to amend Chapter 12 of the Town Code, entitled, Coastal Erosion Hazard Areas."

Supervisor Kozakiewicz: "Yes, I have a card here from Ray Doyle. Mr. Doyle, do you wish to come up here and address us?"

Ray Doyle: "Mr. Supervisor, Members of the Board, ladies and gentlemen. Good evening. Raymond Doyle, I've been a resident of the Bluffs at Baiting Hollow for 12 years and I'd like to briefly discuss some serious problems we have up there where it impacts the

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environment, specifically the erosion that's happened to the bluffs up there.

For the past 12 months, well, let me first say that in the 12 years that I've been living there from my accounts, I will tell you that bluff line has lost in excess of 20 feet. Notwithstanding my accounts, that's from the very simple stepping off from where the walkway goes down to the beach, out to the edge of the bluff, and I'm being very conservative with that 20 foot figure.

I will also tell you that the Town's-- that the maps that the Town had here from the State, the pictures that were taken in 1980-- the coastal erosion hazard area, there is a line, and that will also support my claim of the erosion that is happening to the bluffs.

In the last year, I have made every attempt and I'd like to let you know, I'm not a tree hugger, okay, but I can see what's happening to the bluff line where I live. I'd also like to say that in the last 12 months, I have been to the Code Enforcement, I have been-- talked with the Town Attorney, I've talked with Councilman-- Councilwoman Blass, I've talked with Mr. Kozakiewicz over the phone, and I tell you I get the feeling not that there's not a willingness to help, but a feeling that they can't help.

Now, I try to put things in simple terms in looking at the Town of Riverhead, and you know the State coastal erosion management regulations talk about natural protective features. That whole Sound, that whole bluff, the whole northern shore of Long Island comes under this. It's very clear.

We have places in Riverhead, Maidstone and Friar's Head, and I understand that when these places were built that there is a site plan and that these protective measures were put into it to protect that area. And I might say that I think the Town and a lot that this Board had to do with that.

Having said that, when the Bluffs were built, they didn't have that. As I understand it as explained to me by the Town Attorney and some other people, that there is another way of helping to protect the environment there. We have on the table this Article 12 and it's beyond me why the Town can't put some type of law, it may not be the best law, it may not be 100%. I've been told that because this coastal erosion hazard area was shot in 1980, that the line was no longer valid. Okay. Well, there is still parts of the bluff that come within that hazard area. But I think you also have to apply a little bit of common sense.

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In conclusion, I would just ask this Board and I've been very frustrated trying to be Joe Citizen here and I feel like somebody is part of my family. I've been down here too much trying to get some help and I'm going to urge this Board that with this Article 12, to get something on it to regulate the activities that are going on up at that Bluff. Because there are things being done, that have been done, and continue to be done because there's absolutely no regulation.

And we've got a situation up there, we've got people who live on the top floor. We have people who live on the bottom floor. I'm not saying that it should be all one way that you can't walk on there, but I think there has to be some oversight because the emotions are very high up there with all the people that live there. It is causing a bit of discomfort and I thought that if the Town came in and gave some type of oversight, I think they could- I think we can do both up there. I think we can preserve people's views. I also think that we can more, importantly, preserve the environment. Thank you very much."

Supervisor Kozakiewicz: "Mr. Doyle, I just want to address a comment because I know you stated to me the same frustration you just expressed and I just want to make sure it's clear for the record who it is who's doing the cutting and cleaning. It's your own Board, correct?"

Ray Doyle: "Correct."

Supervisor Kozakiewicz: "So I mean this is not somebody that's coming on the property from outside-- the homeowner's association doing the work."

Ray Doyle: "That's correct."

Supervisor Kozakiewicz: "Okay. And just- I know we're trying to deal with this and I know there's some questions legally but, you know, the coastal erosion hazard area as I understand was adopted from the Article 34 of the New York State Environmental Conservation Law and it does have 39 subsections or 39 sections but, you know, we will certainly hear your cry. We certainly want to make sure that the Town Attorney, Dawn, has the enforcement ability to make this work and if the problems still persist certainly with this legislation, hopefully, this will give us enough teeth to go before the Justice Court and stop that practice."



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Ray Doyle: "Okay. If I can-- in layman's terms, does that mean that Article 12 is going to be adopted as it was- "

Supervisor Kozakiewicz: "The only change is that one change which is to- Article 12 is adopted. The only change is to add additional language which is- I'm sorry, say it again."

(Some inaudible discussion)

Supervisor Kozakiewicz: "Right. So it's just an addition to the definition clause as it exists presently, Section 12-6 which will add to that trimming and clearing as prohibited conduct, just to make sure. And I know Sean Walter is here. I think he might have been involved in the prosecution of your board doing the work- no, no, no. Prosecution of the people who were doing the clearing. So I mean if you want to address that, Sean Walter, go ahead, come on up."

Sean Walter: "We have been working to try to get this code adopted. We sent it to the DEC, we were required to do that. They didn't have any comment. You passed a resolution forwarding it to the Planning Board. The Planning Board has not made a recommendation to the Town at this point as to whether we should adopt these."

Mr. Doyle came in today and we were talking and we realized that he brought up something very important. He said, what's trimming? What's the definition of trimming? And I said, huh, good point. So we unfortunately, we will be back at the table to put a definition of trimming into the code as well.

So I don't know that it's ready to be- "

Supervisor Kozakiewicz: "Can I ask a question and I don't mean to be a wise guy. We had a case against the party doing the work up there, and that case was thrown out. Is that what happened?"

Sean Walter: "I can't discuss that."

Supervisor Kozakiewicz: "Okay. We'll have a side bar because, you know, I mean- "

Sean Walter: "It's a criminal prosecution."

Supervisor Kozakiewicz: "Yeah. I mean we have this Article 12, this Chapter 12, and I'm at a loss because we use this from what the ECL code is. As I understand, it's almost borrowed word for word from what the Environmental Conservation Law states. And if our code

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is somehow infirm or unconstitutional or vague, does that mean that Article 34 of the Environmental Conservation Law is also equally suspect?"

Sean Walter: "No. I think what we're trying to do is strengthen it. It originally didn't include any sort of cutting provision."

Supervisor Kozakiewicz: "Okay."

Sean Walter: "But Mr. Doyle and his colleague this morning pointed out we really- if we're going to do this, we've got to put the trimming provisions in as well, but we will get this done. I talked to Dick O'Dea and I think there will be a recommendation coming out shortly. I would like the Board to be apprised of that recommendation before you make any final decisions. But I think we've been working well with the Boards to get this done."

Councilwoman Blass: "If I could just add a comment. It's the Planning Board that enforces the Chapter 12, it's their jurisdiction, their agency is the- they are the agency that issues permits for activity in the coastal erosion hazard area in conjunction with the DEC. And every year the State representative comes down and sits with the Chairperson of the Planning Board and they review all the Chapter 12 activities and permits and ask if there are any questions or issues that we would like the State to be made aware of."

And one of the last times that I sat with them when I was Chair of the Planning Board, was during Commissioner Cahill's tenure and at that time it became apparent that even then, this was back in the late '90's, the area designated on the map, it became apparent that it needed updating and it is the State's requirement that they do it and it should be updated per their regulations every 10 years. So on behalf of the Town, we approached them and asked them, it was long overdue in the Town of Riverhead and the reply back from the State at the time was that they did not have the resources to shoot a new line.

To the extent that we can at least approach them again maybe with a new Commissioner, maybe with additional resources that may have been allocated for this purpose, we could certainly ask that the line be redesignated on the map and that also may encompass a larger area at this point in light of the fact that the erosion has occurred, the regulated area may actually be redesignated on the map and capture some of these properties."

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Sean Walter: "Right. That's why we did this as the regulated area. We didn't want to be arbitrary. We did it pursuant to the CZM line and that's the regulated area is seaward of the CZM line but some of the CZM line is right at the crest- the top of the bluff. And, you know, as Mr. Doyle knows, and I think we talked about it, one of the buildings is like 100 feet from the top of the bluff which is not all that far away. So, I think we need the help (inaudible)."

Supervisor Kozakiewicz: "Okay, thank you. Thank you, Mr. Doyle. Anybody else who would like to address us with regard to this legislative piece? Yes, Bill Talmage."

Bill Talmage: "I'd just like to make one comment. Bill Talmage, from Baiting Hollow. I'd just like to make one comment about Barbara's comment about increasing the regulated area. I don't believe, for one thing, this is the coastal erosion hazard line. Back when they passed it, Allen Smith said do we have a problem with houses falling over cliffs in this town and if somebody has a house on the top of the cliff and it falls over, it's their responsibility to clean it up. It's still on their property. Is the concern that it's going to fall on somebody?"

But I want to make sure everybody understands that there may be a cost involved. It's my understanding that all the land seaward of the coastal erosion hazard line is taxed as if it were buildable property. That's a lot of land. Nobody has grieved it. If it were grieved, you know, I think the idea is well, you could get a permit supposedly to build seaward of the hazard line but I'm not aware of anyone who ever has.

If we, for example, added 200 feet to the line, supposedly to save the lives of all the people who are having houses fall on their heads, and the people whose land was taken, grieved and all that land was removed from the tax rolls, this is highly valuable land. We could- it could cost us an awful lot of money for something that may or may not be needed.

I agree, we need to enforce the laws that we have but I think we need to be careful about- and I also think that the DEC requirement is that they may review the line in 10 years. They don't have to. That's the only thing I wanted to say. Thanks."

Supervisor Kozakiewicz: "Anybody else who would like to address this Board on the coastal erosion hazard? Yes, sir, Mr. Doyle."

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Ray Doyle: "So is this piece of paper that I have here, this Article 12, is this going to be adopted by the Town of Riverhead tonight? Or it already is?"

Supervisor Kozakiewicz: "Well, Chapter 12 is adopted, Mr. Doyle. Chapter 12 which- "

Ray Doyle: "Can I show you what I have?"

Supervisor Kozakiewicz: "No, I know what you have. You have that particular piece that was on the web site which is the change. Chapter 12, just to be clear, I want to make sure the record is clear, is adopted, that's the coastal erosion hazard area. Chapter 12 consists of Sections 12-1 through 12-39 which were adopted by the Riverhead Town Board by Local Law No. 1 of 1991 on March 5<sup>th</sup>.

This proposal is to adopt a local law to change Section 12-6 which is the definitional clause. But Chapter 12 exists and I just want to, you know, when you say are you going to adopt Chapter 12. We've adopted Chapter 12. Are we going to adopt the changes to 12-6, depending upon I think what we hear feedback from the Planning Board, and whether we should do more definitions on cutting and clearing, we can't tell you today whether we're going to adopt.

I think we've heard the public comment that says let's do it but we have to defer until we get back from the Planning Board whether they have some other things that they think we should consider. I think that's a fair statement and assessment of the situation. Okay. All right. Thank you."

Ray Doyle: "Just this gentleman, he asked a question. I just happen to have the coastal erosion management regulations and it says pursuant to Subdivision- of the act, the Commissioner must review the boundaries of each erosion hazard area 10 years from the date of the final identification and each 10 years thereafter. That's what the State law says."

Supervisor Kozakiewicz: "Thank you."

Ray Doyle: "Thank you."

Supervisor Kozakiewicz: "Anybody else who would like to address the Board? Okay. The time being 9:38 p.m., declare the public hearing closed. I guess we'll wait for the Planning Board to give us their recommendations and move forward."

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Public Hearing closed: 9:38 p.m.

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Supervisor Kozakiewicz: "At this time, what we do is we consider resolutions and we consider comments from the public with respect to the resolutions.

There is which I know is being considered for possibly coming off the table tonight and that was a resolution that was tabled on August 5, 2003, Resolution 915, which, hopefully, is out there for the public to see. If it's not, we'll make a copy and get it out there. This resolution in particular dealt with the Town Board considering an amendment, if you will, to the compensation that we presently pay the Riverhead Volunteer Ambulance Corps to increase their contracted amount or budgeted amount for the year 2003 to the amount of \$274,500.

That being said, anybody wish to address us on resolutions?  
Sandra Mott."

Sandra Mott: "1006, I understand you're increasing the surrender fee for the dogs at the- for the dogs from \$15.00 to \$25.00."

Councilman Lull: "Yes."

Sandra Mott: "I understand why you need the additional money for the additional care of the dogs but my concern is that people don't feel that it's like too much and that they let them run or dump them somewhere and I hope that maybe one of the groups or some of the groups or the people in the community who care for the little dogs, can provide maybe a special program- special fund for that for people who can't afford- \$15 to \$25 may not seem like a lot to a lot of people but, you know, to some people- I don't know if that could be discussed with any of the rescue groups and so on and so forth or whoever donates to the shelter, special shelter funding because better that they be with you than getting hit by a truck. And- or running in the streets and reproducing and all of that.

But that's my only concern. I can understand why, but I hope you can maybe take that into consideration and put it out to the community maybe somebody- you know, that you have all these big PETCO and so on, maybe there's some sort of funding for that kind of situation."

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Supervisor Kozakiewicz: "Thank you."

Sandra Mott: "And I just wanted to say I'm glad to be reading about the status of the animal shelter in such a positive light. I didn't know my 10 years- I said thank you to Mr. Lull already and Rose before you came in, but when I read it was 60 years, I was complaining about 10. I'm not complaining about 10, I'm just very happy to be reading about it to see about money is being spent for architectural plans and that this is going to move in the right direction. People kept telling me, forget about it, it's not going to happen. I said I'm not going to forget about it. It is going to happen. And not only, you know, for dogs, but for cats.

And anyone with fur and whiskers is fine by me. People, I have a problem with these days. So thank you very much and, Rose, thank you for the geese signs over by River Road that is by the County Center, and we can work on two more to rescue those, but that's my animal conversation for the evening. But thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address us on resolutions? Yes, sir, John, come on up."

John Zilnicki: "John Zilnicki. I'm supposed to speak now about- "

Supervisor Kozakiewicz: "Resolutions."

John Zilnicki: "-- resolution. Okay. Just want to know where we're at now with this from the last time- "

Supervisor Kozakiewicz: "Yeah. I spoke with Mr. Sasso (phonetic). I also spoke with the attorney who represents the wireless providers and they do have representatives in the audience who will also perhaps address this issue.

I understand that your concern is not to have it where it's located presently and the discussions with the provider, the attorney, and Mr. Sasso is that it's got to go down by the clubhouse. And that's what they're prepared to do, relocate it down by the clubhouse so it would be down in that vicinity as opposed to where it was previously proposed or anywhere up in the northerly part- northerly half of the golf course."

John Zilnicki: "I see. What will be the height- "

Supervisor Kozakiewicz: "And it's subject to- it would be 150

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feet."

John Zilnicki: "I see. I have another proposal for the cell tower. That nice piece of property you are putting over there on Riverside Drive there. Ideal, ideal."

Supervisor Kozakiewicz: "Ooh, that hurt, John."

John Zilnicki: "Could be maybe two or three there."

Supervisor Kozakiewicz: "Thank you. Mr. Schulman."

William Schulman: "Gentlemen, ladies, I'm glad I'm still alive here. When I write my book- "

Supervisor Kozakiewicz: "Me, too."

William Schulman: "-- when I write my book, I'll have a chapter devoted to this audience and to this Board, of the democracy which has been supplied. Okay.

I'm going to read this because I kind of got fizzled out. It seems to me that I have become the unofficial omnibus-man for the Hamlet of Calverton. Most of the residents and businesspeople are sleeping and they have to be awakened and I saw a group here from Calverton and they all left, they went to sleep. So I'm here.

I'm here to advise the Town Board and the few people gathered about what to look forward in the near future and the far future. The 2000- #1, the 2003 concerts were killed, however, contracts gave options for 2004 and the Field Day people may use their option. I understand Bonaru (phonetic) has declined for 2004. In this regard, we are now facing a multi-million dollar suit by the Field Day promoters.

#2, we are now threatened with a lawsuit by Joey McClellan.

#3, we are still fighting Southampton and it seems all the decisions become our loss. We don't need more lawsuits. They cost a lot of taxpayers' money.

So, now, let's talk a minute about garbage. I have read that Calverton Industries which has the right to build a garbage transfer station on 10 acres of its property on 25, which is contiguous to the Grumman property. However, just building a transfer station to transfer garbage from one garbage truck to another garbage truck

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certainly doesn't make big profits.

So the proposal is that railroad spurs be built on their property and then be connected to a 10,000 spur on the Grumman property which then would meander through the Grumman property, including the area zoned recreation, and then be connected to the Long Island Railroad and taken to some place, probably Shangrala.

I understand that the amount of garbage generated daily by the Town of Riverhead is between 250 and 300 tons. But the spurs to be created will handle very much more than that, the numbers used is over 500 tons daily and we would have- and we would be receiving garbage from other towns. We are now talking about a million pounds or more of raw garbage arriving daily by truck, unloaded and sorted, and then loaded onto boxcars to be taken to wherever.

It is ludicrous to believe that this operation, and I now quote in the newspaper by Calverton Industries, that this will also raise the land values on the Grumman property, increase the longevity of local roadways, and add to the marketability of industrial zoned land at Grumman.

My opinion is that the possibility of other development taking place on the Grumman property, which is a gem, will be destroyed by this taking place. Why do we have to take care of other town's garbage. This was discussed 10 years ago when Joe Janoski, I believe, was still the town Supervisor. It will destroy everything.

I've seen the prints; the prints are shown in the newspapers and it just goes back and forth and it's going to be like hell. Nobody but nobody wants to have an operation close to a rail spur that delivers back and forth empty boxcars and boxcars filled with garbage.

Finally, I have to say this. Since elections are two months away, I believe that consideration of a rail spur to handle garbage for Riverhead and other towns should be tabled until the new Town Board takes over. Three of the five Board members are to be voted on and this is a majority. And what I'm saying is this. That you have to- that you have to leave it alone, don't get involved with it. See what the new Board- what the new Board wants to do.

There's going to be a battle because people- people will be displaced. The value of that whole property, that 2,000 approximately acres that still may be developed is going to go to hell. And I'm just saying to you, leave it alone. Let's see what



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the new Board wants to do two months from now and we'll take it up at that time. Thank you very much."

Supervisor Kozakiewicz: "All right. I do have to comment on a couple things, Mr. Schulman. With regard to the transfer station, you well know because as you said, you're the representative of Calverton. That there was a lawsuit brought challenging OMNI and there was a decision from Judge Berler that was not appealed which is the law of the case that that facility has a permitted use."

William Schulman: "That's 100% correct."

Supervisor Kozakiewicz: "Okay. Secondly, with respect to Mr. McClellan's suit. Lawsuits happen and there's no way to prevent that but when the facts come out, Civil Service Law and the position is it was at will and I'm sure we'll prevail. Unfortunately, that's the case."

On the concerts, we do have insurance and this is not a situation where the town is uninsured. We do have insurance. We have insurance that we vote on and approve every year and should we have any liability which I don't believe we do, it will be covered by insurance.

So I just want to make those points clear."

William Schulman: "I agree with you and I accept it. I only brought that up to show what's happening and I believe that you people who are not inexperienced to recognize that if this proposal to build these spurs go- get approved, that there's going to be lawsuits. And I only mention these lawsuits to show that the people- the people are sick and tired of lawsuits. Not that you can avoid them, you can't avoid them. But I'm bringing this to your attention. It's a serious matter and I think that this should be left because there's going to be a battle about it. Thank you very much."

Supervisor Kozakiewicz: "Thank you. Anybody else who would like to address us on resolutions? I was going to make a comment that there wasn't on resolutions but I figured I'd leave that alone, too. Anybody else on resolutions? Okay."

Councilwoman Blass: "Mr. Supervisor, could we take a few minute- "

Supervisor Kozakiewicz: "Sure. Because I did take one. I cheated before. Go ahead. We'll take a- can we be back in 10?"

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Councilwoman Blass: "Absolutely."

Supervisor Kozakiewicz: "All right. Thank you."

Recess: 9:50 p.m.

Meeting reconvened: 10:00 p.m.

Supervisor Kozakiewicz: "Do we have that baby going?"

Barbara Grattan: "We've got it going."

Supervisor Kozakiewicz: "All right. Let the record reflect the time of 10:00 p.m. has arrived and at this point we will take up resolutions."

Resolution #976

Councilman Densieski: "Yeah, I understand that 976 needs some clarification, Mr. Supervisor so I'm going to recommend that we table 976 for clarification."

Supervisor Kozakiewicz: "Yeah, just to point out. When I started to read through it, if you read on the first page it has one tax map number, the second page has a separate tax map number and as I went through it, the third page or the very last page, I get another tax map number."

Councilwoman Sanders: "Oh, I only have two pages. I only have two pages."

Supervisor Kozakiewicz: "The very, very last page was the August 13 notice. Just to be specific. The cover sheet says 059 which is consistent for all of them, block 3, lot 8.4. The second page has block 8, 8.3, and the last one has block 2, lot 1. So- "

Councilwoman Sanders: "Okay. We don't have that last page you're referring to. Okay. All right."

Supervisor Kozakiewicz: "There's definitely a problem here. So, is we want- "

Councilwoman Blass: "I'll second that motion to table."

Barbara Grattan: "Who seconded it?"

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Councilwoman Blass: "I did."

Barbara Grattan: "Lull seconded it?"

Supervisor Kozakiewicz: "Blass seconded it."

Barbara Grattan: "Blass seconded it. Okay."

Supervisor Kozakiewicz: "Densieski was to table. Blass seconded it."

Barbara Grattan: "Okay."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. 5 yes to table."

Resolution #977

Councilwoman Blass: "This resolution authorizes the attendance of an inspector at the 2003 Mid-Atlantic Life Safety Conference. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #978

Councilwoman Sanders: "Resolution is amending Resolution #865 authorizing emergency work for the Riverhead Sewer District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull."

Councilman Lull: "I understand we're probably going to get this back. Is that correct?"

Supervisor Kozakiewicz: "Well, the whole bid (inaudible)."

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Councilman Lull: "Yes."

The Vote (Cont'd.): "Kozakiewicz, yes. The resolution is adopted."

Resolution #979

Councilman Lull: "Authorize the Supervisor to execute a contract agreement with Mark Conklin. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #980

Councilman Densieski: "Authorizes the Supervisor to execute a contract agreement with Gary Pendzick, the Supervisor of the Water-Superintendent of the Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #981

Councilwoman Blass: "Authorizes the execution of a lease agreement between North Shore United Methodist Church and the Town of Riverhead Recreation Department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes."

Councilwoman Blass: "And I should- I'd like to thank Councilwoman Sanders for working through the details of that. Thank you."

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Supervisor Kozakiewicz: "Thank you."

The Vote (Cont'd.): "Lull, yes."

Councilwoman Sanders: "Thank you."

The Vote (Cont'd.): "Kozakiewicz, yes. The resolution is adopted."

Resolution #982

Councilman Lull: "Approves the application of Living Water Full Gospel Church for conducting a youth rally under a tent on their property on Shade Tree Lane. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #983

Councilwoman Blass: "Approves the application for fireworks permit of Timothy Hill Children's Ranch. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #984

Councilwoman Blass: "Approves the application of Liz Clairborne for a tent sale to be held Sept. 5 through Sept. 12. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

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Resolution #985

Councilman Densieski: "Authorization to donate fixed assets.  
So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #986

Councilman Lull: "Sets policies and procedures for all committees. So moved."

Councilwoman Blass: "And seconded."

Councilman Lull: "Excuse me. I would like to see an amendment here. At the end of the second Whereas where it says will result in-stop with in and instead of saying elimination, simply say removal of that person from said committee creating a vacant position on that committee to be filled by an action of the Town Board."

Councilwoman Sanders: "Removal from said committee- "

Councilwoman Blass: "Removal of that person- individual."

Supervisor Kozakiewicz: "Removal of that person- individual."

Councilwoman Blass: "From said committee."

Councilwoman Sanders: "From said committee- again, Jim."

Councilman Lull: "Creating a vacant position on that committee to be filled by action of the Town Board. I don't want to nit pick, but in fact there are a couple of policy issues involved there which I think are important for us to state right now. First of all those committees don't select their own replacements. We do because we set them up to begin with. And secondly, if there's a vacant position, we fill it and it gets filled. So- "

Barbara Grattan: "You've got that written, Jim?"

Councilman Lull: "Yes."

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Supervisor Kozakiewicz: "All right. Any other discussion?"

Councilwoman Sanders: "I second that amendment."

Supervisor Kozakiewicz: "Okay. So there's a motion and second amendment. So let's vote on the amendment first and then we'll move the resolution."

The Vote: "Sanders."

Councilwoman Sanders: "Yes. I get to vote twice."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes."

Supervisor Kozakiewicz: "Now is there someone who's going to move the resolution as amended."

Councilman Lull: "So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded as amended. Okay."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I'd like to read the first two Whereas."

Whereas it is the policy of the Town of Riverhead to maintain various committees which are comprised of community volunteers interested in improving the function and efficiency of the Town of Riverhead; and

Whereas the Town Board wishes to establish a policy wherein if a member of a committee is absent without a satisfactory explanation from three consecutive scheduled meetings, etc., etc.

I think we're sending the wrong message. Do you know how hard it is to get volunteers to do anything? We're taking people out of their homes, away from their families and possibly away from second jobs, away from many things, and they're donating their time to the town and because they don't satisfactorily explain their whereabouts to us, we're going to throw them off the committee. I disagree with this policy; I disagree with this statement.

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I think we should be thanking the people that do donate their time to the town. I do appreciate their volunteer efforts and I don't want to be any part of this resolution. So I'm going to vote no."

The Vote (Cont'd.): "Lull."

Councilman Lull: "And I would tend to argue with my Councilman on my left- his right. And that is we as members of the Town Board must officially set up these committees by resolution. These committees are set up by the Town Board by an act of the town government. We select the people to be on these committees for a very specific purpose, for very specific purposes, whatever they might be.

We had a recent couple years ago situation where somebody who was on one of our committees, had been selected by the Town Board and appointed as a member of one of our committees, who made and has made a great deal of criticism on the actions of that committee and yet he never attended a meeting. And so he was removed for cause. There is a reason for removing for cause.

I don't think anybody is suggesting that we get rid of somebody who honestly has a reason not to attend. But if we're going to find, and we find this with all our volunteer activities, you ask somebody to do a job and they take a look at it and they say that's going to be too much for me, then that's the way it is. But if they sign up for it, then you can expect that they should take it as seriously as we did by making a law. Yes."

The Vote (Cont'd.): "Kozakiewicz."

Supervisor Kozakiewicz: "This has been certainly something that we've talked about quite extensively and I agree with Councilman Densieski's assessment that, you know, to get people to volunteer is something that's not necessarily easy, simple or fun. Also, however, I think we would all say that an effective committee is one that tends to meet, tends to have all productive members and to move forward and I know we've had very good success with a number of committees because there is active and willing participation.

I hope that people don't get the wrong message and say this is going to create unreasonable burdens on them. It does require three consecutive absences without satisfactory explanation and I think that while it may be onerous, it's just something that we should do so that we have guidance for all our committees and I vote yes."



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Barbara Grattan:    "The resolution is adopted."

Resolution #987

Councilwoman Blass:    "This resolution authorizes the Supervisor to execute an agreement with P&G Computers and Design.  So moved."

Councilwoman Sanders:    "And seconded."

Supervisor Kozakiewicz:    "Moved and seconded."

The Vote:    "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes.  The resolution is adopted."

Resolution #988

Councilwoman Sanders:    "Awards bid for mobile ADA restroom trailer.  So moved."

Councilman Densieski:    "Second the motion."

Supervisor Kozakiewicz:    "Moved and seconded."

The Vote:    "Sanders, yes; Blass, yes; Densieski, yes; Lull."

Councilman Lull:    "When will it be available?"

Councilman Densieski:    "I believe the Town Board actually passed this resolution about four months ago."

Councilman Lull:    "I think we did, too."

Councilman Densieski:    "I don't know what happened or where it went but we're doing it again.  So (inaudible)."

Councilman Lull:    "Okay.  Yes."

The Vote (Cont'd.):    "Kozakiewicz, yes.  The resolution is adopted."

Resolution #989

Councilman Densieski:    "Approves a temporary sign permit for Atlantis Marine World LLC for the 6<sup>th</sup> annual 5K run for the Ridley.  So moved."

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Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "I'm not sure I can make the 5K- "

Councilwoman Blass: "Sure you can."

Barbara Grattan: "The resolution is adopted."

Resolution #990

Councilman Lull: "Approves temporary sign permit of Victorian Greenhouse for sale of mums. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "There just seems to be a discrepancy regarding whether this is the pictures that we received at work session that were attached to this resolution were for one thing and these are for a different variety. Does it matter?"

Councilman Lull: "Rose, are you going to tell us- "

Councilwoman Sanders: "The signs- "

Councilman Lull: "-- are you going to tell us the person who submitted this?"

Councilwoman Sanders: "No, well, I can. Vongphachanh."

Councilwoman Blass: "And, in fact, the agenda does call out impatiens and this is mums and the work session- I know, I know, a detail but it's- "

Councilwoman Sanders: "The pictures don't match- "

Councilwoman Blass: "Just say flowers. In fact, here it is in the work session and it's impatiens and the agenda says impatiens. I know, Ed, I'm sorry."

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Councilman Densieski: "I didn't say a word."

Councilwoman Sanders: "You don't have to be sorry. Don't be sorry."

Supervisor Kozakiewicz: "Why don't we just say flowers."

Councilwoman Blass: "Flowers."

Councilman Densieski: "Mums the word on the flowers."

Councilwoman Blass: "There you go. I'm for that."

Barbara Grattan: "So we're changing the word mums to flowers?"

Supervisor Kozakiewicz: "Right."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "I think I liked it better when businesses put up illegal signs. Yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #991

Councilwoman Blass: "Approves R.R.Plumbing Services Corp. as a drainlayer for the Riverhead Sewer District. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #992

Councilman Densieski: "Town of Riverhead general fund budget adjustment. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

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The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "Normally I just abstain on these because of my suspicions of the Accounting Department. But this one I'm actually going to have to vote no on because \$5,000 for miscellaneous expense in the Finance Department. No."

Barbara Grattan: "So you've voting no, Councilman?"

The Vote (Cont'd.): "Lull."

Councilman Lull: "I'm voting yes because the- finally, the last item, PA system for the senior center."

The Vote (Cont'd.): "Kozakiewicz, yes. The resolution is adopted."

Resolution #993

Councilwoman Sanders: "Approves temporary sign permit for Borders. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, no; Blass, no; Densieski."

Councilman Densieski: "Obviously yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #994

Councilwoman Blass: "This resolution authorizes the execution of a third party custodial agreement between the Town of Riverhead, North Fork Bank and the Bank of New York. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull."

Councilman Lull: "Yes. Would you like to explain it, Mr.

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Supervisor?"

Supervisor Kozakiewicz: "Yes. This is something that we've done in the past and it allows for us to sign- for me to sign I should say, this third party custodial agreement for the purposes of being the receiver of taxes with the banks and if anybody wants to read this agreement, go to it. It's involved."

Councilwoman Blass: "They can pay their taxes through the internet and they wanted a separate account for that so this would be a service we'd be offered."

Supervisor Kozakiewicz: "Right. And I vote yes for the internet ability to pay taxes. Yes."

Barbara Grattan: "The resolution is adopted."

Resolution #995

Councilman Lull: "I just have to say that I voted- I asked you to explain that last one so I could finally get to the end of it. Okay. 995 accepts the final environmental impact statement of Traditional Links LLC. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #996

Councilwoman Blass: "This resolution corrects Resolution 756 which awarded a bid for the annual asphalt contract. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #997

Barbara Grattan: "You've got a correction on this, Bob?"

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Supervisor Kozakiewicz: "Yeah, there's a correction. For some reason, my resolution is missing. I must have taken it out."

Councilman Densieski: "Here it is."

Supervisor Kozakiewicz: "Okay. Yes. It was pointed out that we were short changing ourselves on this one. We described this particular application as being one with 56 single family dwellings. It should have been 60 plus there's also one clubhouse which will be serviced by the water. So 56 should have 60 and 16 (inaudible) numerically and 56 should be stricken and after single family dwellings, we should add and one clubhouse. And then in the one, two, three, fourth whereas, the sum should be amended to reflect that \$152,000- \$152,500 is going to be paid. Then on the next page, at the top of the page, the very first sentence, the same number should be inserted instead of \$142,500."

Councilman Densieski: "Very good, Bob."

Supervisor Kozakiewicz: "I don't know. Sometimes I've got it."

Councilwoman Sanders: "Now we need somebody to move it."

Supervisor Kozakiewicz: "Now we just need somebody to move it, with the amendment."

Barbara Grattan: (Inaudible)

Supervisor Kozakiewicz: "I had like six copies of this and-but, I will find them before the day's out."

Barbara Grattan: "Are you going to do this?"

Councilman Densieski: "Yeah, sure."

Barbara Grattan: "Okay."

Councilman Densieski: "This is an order establishing a lateral water main for North Fork Golf Resorts, lateral water main, Riverhead Water District. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

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The Vote: "Sanders."

Barbara Grattan: "Aren't you going to amend this though, Bob?"

Supervisor Kozakiewicz: "Yes, actually there should be a motion to amend, yes. You're right. I guess I'm distracted trying to find the resolution."

Councilman Lull: "Why don't we just move it as changed?"

Supervisor Kozakiewicz: "Well, we're going to waste more time discussing it than doing it, let's do it."

Councilman Lull: "You don't have to amend it; it's there."

Supervisor Kozakiewicz: "All right. Let's go. I want to make sure it's right so we don't have an issue."

Councilwoman Sanders: "It will be yes as amended."

Supervisor Kozakiewicz: "Okay."

The Vote (Cont'd.): "Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. As amended."

Resolution #998

Councilman Lull: "Order establishing a lateral water main Aquebogue Golf Resorts lateral water main Riverhead Water District. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #999

Councilwoman Blass: "Authorizes the Town Clerk to advertise for bids for Riverhead Water District Extension 56B, Sunken Pond Estates, Section 3. So moved."

Councilman Densieski: "Second the motion."

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Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1000

Councilman Densieski: "Awards bid for paint. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1001

Councilwoman Sanders: "Appoints a part time guard to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1002

Councilwoman Blass: "Appoints part time recreation aides for the purpose of being basketball leaders for the recreation department. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1003

Councilwoman Sanders: "Appoints a recreation specialist to the Riverhead Recreation Department. So moved."

Councilwoman Blass: "And seconded."



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Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1004

Councilwoman Blass: "Appoints another recreation specialist to the Riverhead Recreation Department. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1005

Councilwoman Sanders: "Authorization to discard fixed assets. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1006

Councilman Densieski: "Adopts a local law to amend Chapter 58 entitled Dogs of the Riverhead Town Code. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1007

Councilwoman Blass: "This resolution is a PAL budget adjustment. So moved."

Councilman Densieski: "Second the motion."

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Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1008 to #1021

Councilman Densieski: "North Country Road road improvement budget adjustment. So moved."

Councilman Lull: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Councilwoman Sanders: "May I suggest that we move 1008 through to because they are all road improvements."

Councilwoman Blass: "Just identify the roads. Maybe that would be helpful. Yeah."

Councilwoman Sanders: "Yes. Okay, well then it's Ed's resolution. I don't want to take his thunder."

Councilman Densieski: "You can have my thunder."

Barbara Grattan: "1008 to- "

Councilman Densieski: "Is somebody going to at least identify so people know- "

Councilwoman Blass: "That's what we were asking, that you do that."

Supervisor Kozakiewicz: "You want to do that?"

Councilman Densieski: "Sure."

Supervisor Kozakiewicz: "Ready?"

Councilman Densieski: "Sure. North Country Road, Sound Road, Riley Avenue, Tutthill's Lane, north and south of Apollo Drive, Manor Lane, Young's Avenue, Osborne Avenue, Ostrander Avenue, Mill Road, Ziemacki Lane- "

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Councilman Lull: "Excuse me just a minute, Mr. Supervisor. Should we maybe mention- I liked the idea that to mention that every one of those that's been mentioned up to this point, the paving was done at less expense than was budgeted. This is return of money for the serial bond."

Councilman Densieski: "And Reeves Park Road, Roanoke Avenue, Corwin Street, certain sections of Sound Avenue, and now we're going into guardrails."

Supervisor Kozakiewicz: "Okay. So that's motion to move 1008 through 10021. Is there a second?"

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. Resolutions are adopted."

Resolution #1022

Councilwoman Blass: "This is a budget adoption in connection with the River Road guardrail improvement project. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. Resolution is adopted."

Resolution #1023

Councilman Lull: "This is also a budget adjustment for Stotzky Park skateboard complex capital project. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1024

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Councilwoman Sanders: "Mid Road Properties capital project budget adjustment. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1025

Councilman Densieski: "This is a Y2K Iron Pier beach improvement capital project budget adjustment. So moved."

Councilwoman Blass: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1026

Councilwoman Blass: "This is a budget adjustment in connection with the Howard Nichols water extension capital project. So moved."

Councilman Lull: "Second."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #1027

Councilman Densieski: "Discussion. I'm going to motion that 1027 be tabled. I did have discussion with some of the CAC members today who specifically said that they don't feel that it's ready to be voted on. Some of the languages are not clear yet unless anybody knows anything different. If not, I'd like to move to table 1027."

Supervisor Kozakiewicz: "Okay. Discussion. You- they questioned language so there might be further modification to it, is that what you're saying?"

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Councilman Densieski: "Certain- like definitions have not been clarified."

Councilwoman Blass: "It was the- in the transmittal letter that we received from the CAC, the suggestion was that we incorporate the changes now and that the definitions were to be addressed at a later date. That was the recommendation that came from the committee."

Councilman Densieski: "Okay. First of all, I don't know if that's wise, that policy. Second of all, speaking to the CAC members directly, they didn't feel that this was ready for a vote. So I'm just curious if you have other information from the Board."

Councilwoman Blass: "Well, I know that the work session- the last work session we had, we had the chairperson or the acting chairperson and one of the other members who had presented these as the final version of the- "

Supervisor Kozakiewicz: "Let me ask a question. Is there harm if it's put off for two weeks?"

Councilwoman Blass: "It was my- well, I'm just questioning the fact that it was my understanding that the committee addressed this again. So maybe some one individual member of the committee may have an issue but if it was voted on or if it was blessed by the balance of the committee, then I'm wondering why we should be tabling it."

Councilman Densieski: "Okay. I'm glad you brought that up. The two board members that did come here did not even meet with the entire board before coming here so I'm certainly positive that they did not have a positive vote to come forward. In speaking with some of the other members, they weren't even aware that those two members did come to town board work session.

So I would like to see the whole committee at least be in agreement or have a vote before we vote on it because personally from what I understand, it's not ready."

Councilwoman Blass: "My information is to the contrary."

Councilman Densieski: "Okay."

Councilwoman Blass: "There's a motion to table."

Supervisor Kozakiewicz: "All right, well, there's a motion to table. Is there a second?"

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Councilwoman Sanders: "Second."

Supervisor Kozakiewicz: "Motion and second to table. Vote, please."

The Vote: "Sanders, no; Blass, no; Densieski, yes; Lull, no; Kozakiewicz."

Supervisor Kozakiewicz: "Well, again, my vote really doesn't mean anything, does it? I- if there was any real problems with the CAC, I'm not sure what the problems would be adjourning this particular piece of legislation two weeks. Saying that, I would vote to table just to see what the issues were, if any, and then put it right back up for the second meeting in September. So I would join with Mr. Densieski and vote yes to table."

Barbara Grattan: "Okay, we have one, two, three no's."

Supervisor Kozakiewicz: "It did not pass."

Barbara Grattan: "It did not pass."

Supervisor Kozakiewicz: "Okay. We have the resolution moved or not?"

Councilman Lull: "I moved the resolution."

Supervisor Kozakiewicz: "Is there a second? I'm not sure if we went right into discussion, I think."

Councilman Lull: "We did."

Supervisor Kozakiewicz: "Yeah, a little faux pas. Motion and is there a second on the resolution?"

Councilwoman Blass: "Yes."

Supervisor Kozakiewicz: "Okay. Motion and second. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski."

Councilman Densieski: "And then we wonder why our volunteers don't show up at the committee meetings for three meetings in a row. Certain members of the committee do not feel that this is ready to be

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voted on. The definitions haven't been defined yet. I'm a little curious why we're doing this. With that said- and I certainly agree that we need to do this, but I don't think it's ready yet. I think it's important that we do it, but I think we jumped the gun a little bit. So, I'll vote no."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "We didn't table so we have to move forward. My hope is that, in fact, if there are definitional questions that need to be addressed, they will take them up and address them and bring them to us so that we can make sure that we have a legally enforceable ordinance similar to what we have with Chapter 12 in the coastal erosion hazard area."

Saying that, I know there was a public hearing. We heard some public comment from certain individuals and I think- I'm just, the question is the residential docks, whether we ever addressed the comments. I see we have three- "

Councilman Densieski: "That's the only change they made."

Supervisor Kozakiewicz: "Right."

Councilman Densieski: "Was two vessel berths to three vessel berths."

Supervisor Kozakiewicz: "Right."

Councilman Densieski: "Just like with the- excuse me, Mr. Supervisor. Just like the trees that needed- "

Councilwoman Blass: "This is not the appropriate time."

Supervisor Kozakiewicz: "No, no, there's no debate. I'm in the middle of my vote."

Councilman Densieski: "Okay, I'm sorry. Go ahead."

Supervisor Kozakiewicz: "I'm in the middle of my vote."

Councilman Densieski: "You're right."

Supervisor Kozakiewicz: "And I'll be honest, I know that there were some comments and I hate to- I'm going to abstain because I'm just not comfortable with it. I have not taken a hard look at it and I can't in good faith say yes or no. So I abstain."

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Barbara Grattan:     "The resolution is adopted."

Resolution #1028

Councilman Lull:     "Approves the special permit petition of East End Wireless, Inc. Nextel of New York, Inc. d/b/a Nextel Communications- "

Supervisor Kozakiewicz:     "We have it incorrectly identified, correct? It should be a different applicant."

Dawn Thomas:     "There's an amendment to the applicant- an addition to what's currently stated in the title and in the body of the resolution and then there's an additional amendment. Counsel is advising that- involves the height of the monopole which was stated in the resolution as 120 but according to (inaudible)."

Supervisor Kozakiewicz:     "Okay. So what are our amendments here, Dawn, just to make sure we're clear."

Dawn Thomas:     "Amendment would add to the title after where it says d/b/a Verizon Wireless- it should say and T-Mobile USA."

Supervisor Kozakiewicz:     "Capital T Mobile?"

Dawn Thomas:     "Yes."

Supervisor Kozakiewicz:     "T as in Thomas?"

Dawn Thomas:     "Yes."

Supervisor Kozakiewicz:     "Mobile."

Dawn Thomas:     "USA."

Supervisor Kozakiewicz:     "Okay."

Dawn Thomas:     "d/b/a- "

Supervisor Kozakiewicz:     "d/b/a- "

Dawn Thomas:     "Omnipoint Communications."

Supervisor Kozakiewicz:     "Omnipoint Communications."

Dawn Thomas:     "And that same addition should be made in the



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first Whereas, in the first sentence after Verizon Wireless."

Supervisor Kozakiewicz: "Okay."

Dawn Thomas: "And then the 120 foot should be amended to 150 foot."

Supervisor Kozakiewicz: "Okay. And also I believe, I don't know if they're here, there should be some recitation in one of the Resolve clauses, and I tried to put together some wording that the- make it subject to a site plan application but also that the location of the monopole and shed would be located south of the proposed location and within proximity of the clubhouse. I'm not sure how to further define it but the idea was to bring it within the clubhouse vicinity."

Councilman Densieski: "Yeah. What do you mean by vicinity? How close are we talking about?"

Supervisor Kozakiewicz: "Down by the- either by the practice range or by the practice (inaudible), or by the nine hole."

Councilman Densieski: "Well, can we further define it by putting a certain amount of feet from the club so that we know this thing doesn't end up by Sound Avenue?"

Supervisor Kozakiewicz: "Well, if you want to try and make it within, I'm trying to think of the distance. Because-- within 100 yards, would that do it? Within 100 yards?"

Councilman Densieski: "That's about a quarter of a mile."

Supervisor Kozakiewicz: "We're dealing with a site plan. We've got a fall zone. Mark Lyon's- Mark's here. I knew that we were going to have a little bit of discussion on this so I did ask him to be here. You know, this one's been, I guess one that we've been struggling with."

Mark Lyons: "Yes. Members of the Board, we met with the Supervisor and Mr. Hanley today and we have an aerial photograph. What we're proposing is to put it somewhere in this area by the practice range. We have to take into consideration the fall zones which the Town Code provides. We are also trying to keep it out of the way of the normal operation of golf so that we don't interfere with that."

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Unfortunately I don't have a scale with me so I can't give you an accurate dimensional characteristic as to how far from it but it looks like it's within about 500 feet of the- of the clubhouse. But it's not- "

Councilman Densieski: "Approximately how- "

Mark Lyons: "-- going to be near Sound Avenue."

Councilman Densieski: "Yeah. That's what I was going to ask. How many feet?"

Mark Lyons: "We're moving it- the current location on your site plan that you have has it approximately 700 feet to the south of Sound Avenue and we're currently proposing it to be, I would say at least 1,500 feet from Sound Avenue. If that's what you're- if that's what the distance you're really concerned with. We're moving it to the south more- to a more approximate location to the clubhouse."

Councilman Densieski: "Okay."

Mark Lyons: "And we are going to have two sheds on there. There would be- I'm sorry, Dawn, I didn't- there will be two."

Supervisor Kozakiewicz: "All right. So to get back to the definition. If we said that it's the first, second, third Resolve, that based upon the findings, the Town Board hereby grants the special permit petition of East End Wireless, Inc., it's et al, to allow the construction of a telecommunications monopole and two sheds upon real property located at Reeves Avenue, Riverhead, subject to the location of the monopole and two sheds being located approximately- and, see, this is the problem. I'm trying to get the dimensions. Located southerly of the proposed location and within a 500 foot radius of the clubhouse."

Mark Lyons: "I think that's accurate."

Supervisor Kozakiewicz: "How about that?"

Mark Lyons: "I think that would be- "

Supervisor Kozakiewicz: "And then, of course, it will come back to us as a site plan so that we can further (inaudible) it in then."

Mark Lyons: "We are going to- "

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Supervisor Kozakiewicz: "So, 500 feet."

Mark Lyons: "We are going to meet with the town's engineer to specifically locate where it will be so we're not going to just pick a spot. Mr. Hanley is going to make sure that we designate a spot which will be appropriate by your- "

Councilman Densieski: "I think the concern is getting as far back from Sound Avenue as possibly can."

Mark Lyons: "The reason we're putting it there is because it's aided by additional screening from the trees along the practice range which is why we thought it would be more appropriate to put it over in that area. We're aware of your sensitivity and we're trying to be aware of that and be sensitive to it, too."

Supervisor Kozakiewicz: "Okay. So, we're going to amend the caption. We're going to amend the first Whereas to say the company and the applicants as indicated. Amend the 120 to reflect 150, is that what you indicated? Or 130?"

Councilwoman Sanders: "One fifty."

Supervisor Kozakiewicz: "One fifty. And then that Whereas which- I mean that Resolved, add in there subject to the location of monopole and two sheds being located southerly of the proposed location and within a 500 foot radius of the clubhouse of Cherry Creek. Right? All right. Any other discussion? Okay."

Councilman Lull: "Do we move it again?"

Supervisor Kozakiewicz: "Why don't we move it with all those amendments, please."

Councilman Lull: "Approves the special permit petition of East End Wireless, Inc. Nextel of New York, Inc. d/b/a Nextel Communications and New York SMS Limited Partnership d/b/a Verizon Wireless and T-Mobile USA d/b/a Omnipoint Communications for a telecommunications monopole and shed- "

Supervisor Kozakiewicz: "Two sheds."

Councilman Lull: "Monopole and sheds at Cherry Creek Golf Course."

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Supervisor Kozakiewicz: "Thank you. Is there a second?"

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Vote, please."

The Vote: "Sanders."

Councilwoman Sanders: "I just have a question. Consideration for the fall zones and trying to keep it out of the way of the golfers is consideration of the fall zones, is that something that can be addressed on the site plan?"

Dawn Thomas: "Yeah, absolutely."

Supervisor Kozakiewicz: "I'm not out there playing golf when we have 150 mile an hour winds."

Councilman Densieski: "And they don't- they're designed- "

Councilwoman Sanders: "I'm not worried about you."

Councilman Densieski: "They're designed not to fall completely over."

Councilwoman Sanders: "Feel free."

Councilman Densieski: (Inaudible)

Councilwoman Blass: "They tell us- "

Mark Lyons: "There's never been an instance of a monopole collapsing on top of anyone. They- even during hurricane Andrew in Florida, there was only one thing left standing after that and that was the monopoles. So there's really no fear of that and I do believe the code refers to property line to property line so, you know, we will, of course, try and make it as unobtrusive to the golfers as possible. That's what we're trying to attempt. We'll try- "

Supervisor Kozakiewicz: "I'm hoping it's as unobtrusive as possible for the Sound Avenue owners who registered their, you know, complaints to us. So, one of whom is here tonight."

Mark Lyons: "It definitely won't blow that far either."

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Supervisor Kozakiewicz: "Okay."

Councilwoman Sanders: "Thank you."

Supervisor Kozakiewicz: "Vote, please."

The Vote: "Sanders, yes; Blass."

Councilwoman Blass: "No. I stand firm in my position that until such time as this Town Board commissions a study that identifies town-wide all the existing service gaps, all areas within those service gaps that we may find to be appropriate to locate additional cell towers and identifies how aesthetically we should be dealing with them and how we may deal with other adverse impacts that may be associated with them, that we should not be approving these cell towers by special permit. I think we need a more comprehensive approach.

And I would further add that in the absence of having that study done, the master plan recommends that new cell towers be a Type I action under SEQRA so I would suggest that if there's not an inclination of this Board to commission such a study, that we should act rather quickly in going to hearing on amending our code to include the erection of new cell towers as a Type I action subject to an environmental impact statement.

My vote is no."

The Vote (Cont'd.): "Densieski."

Councilman Densieski: "Yeah, I would like to vote no, too, because I certainly think the area residents would like me to vote no. And I would like to vote no because I don't like cell towers either. But the fact is I think every person I know has a cell phone. I think they're a fact of life. Right now we have cell phones and if there's a hurricane when the wires are all down, guess what? You're going to be on your cell phone.

So I wish I could sit up here and vote no but sometimes we do have to make hard decisions that aren't going to be very popular. I think we did mitigate this thing, excuse me."

Supervisor Kozakiewicz: "I didn't say anything."

Councilman Densieski: "I think we did mitigate this a little bit by getting it back off of Sound Avenue and trying to make the

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historic corridor as pleasant as possible. But I'm going to vote yes."

The Vote (Cont'd.): "Lull, yes; Kozakiewicz."

Supervisor Kozakiewicz: "Yeah. I hate to say this but when I heard the fall zone I started envisioning having rain and the snowstorms and I started thinking of that Caddy Shack scene with the father playing golf, playing the best round of golf in his life and just refusing to leave the golf course.

But this is no funny matter and it's not really comical. So I will try to get off of Caddy Shack and get onto business.

This is one where it was a difficult application and I had some conversations with Mr. John Zilnicki who's here tonight as well as Mary Beth Zilnicki who were very concerned as was Mr. Hartmann. And they- the application is before us and, of course, under the federal legislation, we probably have some issues and problems should we just arbitrarily delay and deny the application. And I explained that to Mary Beth and I'm not sure if I explained it to John, and if I didn't, John, I'll certainly take time to explain it to you.

But I was very concerned about trying to get the cell tower off of Sound Avenue, closer to the clubhouse. It seemed that was a more appropriate location and one which, hopefully, the property owners who are impacted won't have to look at and it will be more in keeping with the golf course. They've been willing to do that. Mr. Ray, who represented the applicant, did have a series of communications both over the phone and in writing with me indicating a willingness to cooperate and do that, as has Mr. Lyons who's here today.

So based upon everything, based upon the fact that it's going to be subject to further site plan review, I vote yes."

Barbara Grattan: "The resolution is adopted."

Councilman Densieski: "Maybe you'll see it from your house now, Bob."

Supervisor Kozakiewicz: "I like American flags."

Resolution #1029

Councilwoman Blass: "And just to punctuate my comments with the fact that my vote had everything to do with land use and nothing

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to do with pandering to individuals in the neighborhood, Councilman.

This resolution approves application of Hallockville Museum. So moved."

Councilwoman Sanders: "And seconded."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes."

Supervisor Kozakiewicz: "I was going to jump there a little bit. I was going- I guess I'm getting a little jump. Okay."

Barbara Grattan: "The resolution is adopted."

Resolution #1030

Barbara Grattan: "Resolution #1030 is to pay bills."

Councilman Lull: "So moved."

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and seconded. Vote, please."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. Resolution is adopted to pay bills."

Resolution #915

Barbara Grattan: "Resolution #915 which is a tabled resolution."

Supervisor Kozakiewicz: "A tabled resolution. Is there a motion to take it off the table?"

Councilman Lull: "So moved."

Supervisor Kozakiewicz: "Is there a second?"

Councilman Densieski: "Second."

Supervisor Kozakiewicz: "Moved and second to take it off the table. Vote, please."

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Councilman Densieski: "To take it off the table."

Supervisor Kozakiewicz: "To take it off the table. This is to take it off the table only. Not to move- to pass the resolution."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is off the table."

Supervisor Kozakiewicz: "Is there a motion to move it now that it's off the table?"

Councilman Lull: "I will do it. Establishes compensation- "

Councilwoman Sanders: "Why was it tabled originally?"

Supervisor Kozakiewicz: "Because there were some questions about the fiscal impacts it would have on the 2004 budget."

Councilwoman Sanders: "And those issues were remedied?"

Supervisor Kozakiewicz: "I'm still waiting for an indication what the fund balance is but although I've asked four times."

Councilman Lull: "The only indication of any problems came from Jack (inaudible)."

(Some inaudible discussion among the Board members)

Supervisor Kozakiewicz: "I think what we're trying to suggest is that there's really no fiscal implication and that's the reason why we haven't gotten anything back. Any other discussion? Vote, please."

Barbara Grattan: "Okay, so wait a minute. It's off the table."

Supervisor Kozakiewicz: "But it hasn't- oh, it hasn't been moved yet. Okay. Is someone going to move the resolution, please?"

Councilman Lull: "I will."

Supervisor Kozakiewicz: "Unless you guys want to keep going until after midnight."

Councilman Lull: "That's all right. 915 established compensation for Riverhead Volunteer Ambulance Corps, Inc. for the



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calendar year 2003. So moved."

Councilman Densieski: "Second the motion."

Supervisor Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Densieski, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Supervisor Kozakiewicz: "And does that do it for resolutions? All right, at this point is freebee time for all six of you left. You have a five minute rule. You can come up and address us on any matter involving the town. George, you're still here. You want to go first? All right. Unless John or Odell want to address us. Come on up, John."

John Zilnicki: "Can we speak about anything?"

Supervisor Kozakiewicz: "On any topic, John."

John Zilnicki: "Really? Wow. I can come in, Barbara, for still voting no. It still would have been nicer without it. Just because it's Sound Avenue, a little piece of country still here, you know. Everything seems to be just- got to be- got to go with, you know, modernization, big business or capitalists, I guess, you know. It's too bad that we have to keep doing everything what somebody wants or progress or so forth.

Another issue I want to bring up, we've got to get back to the racetrack issue for Calverton. We've got to go in that direction. We're talking about recreation over there in the corner there. We've still got a lot of land and before it all gets chopped up here and there we still got to somehow find an area there in that Grumman area for a racetrack. Eventually the raceway will be gone someday, probably- who knows? It won't be that long. And it would be nice to put a nice mild track there or something. There's a lot of money out there and why can't Long Island, New York get it before New Jersey? Because it's bound to happen and it's going to happen within another five, 10 years and I think you guys should keep the door open yet.

And I don't know what goes on here because I'm not here, I don't know."

Councilman Densieski: "You don't want to know."

John Zilnicki: "Probably not, I don't know. But you know I

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think it should be looked at. I know there's a lot of Calverton- or these civic groups I should say are not for it but, man, you'd be missing the boat. You'd be missing the boat. Look at the one in Kansas or Chicago, it's out in the middle of farmland and you look back to Daytona when it first started at (inaudible) and look at it now, everything keeps on growing. You're looking at possibly, you know, the talk of gambling casino or what. If you're going to put a recreational park in the corner how many hundred acres, just think what a racetrack would do and, of course, motels after. You know, that's how I look at that area there. It's, you know, and plus you've got an airstrip yet."

Councilman Densieski: "You're really going there."

John Zilnicki: "That's about it."

Supervisor Kozakiewicz: "Thank you so much. All right. Anybody else who would like- George, come on."

George Schmelzer: "You notice we had a really (inaudible) on 58. Some people think we should widen 105, I mean 105 feet I heard. Then at the end of 58 you go down to 50 feet again. It doesn't make sense. Why not extend the expressway where it stops now to 105, that's four miles, two lanes each way. If you keep going, you can't get out until you reach 105. There's no place to get off except on- for emergency ambulances on Roanoke Avenue, have ramps that's only for emergency. And the rest- you'd eliminate a lot of this problem in the town, cars in all directions, all jammed up. It's getting so bad that people can't even get to the stores. Before we wanted traffic so people could get to these stores. Now it's so jammed up you can't get to the stores."

And the state looks upon Riverhead as a joke because they never asked for an extension. It was promised in the beginning it wouldn't stop there and the state created that mess by dumping it off there and then we built 105 after that with the county, so bring it there. I think you'd get enthusiastic support from Shelter Island and Southold, too. Because people go to Shelter Island, they can't get anywhere on the south side, they come this way. When they hit this damn 58, four miles long, they can't even move. It takes hours. And anybody's in serious condition in an ambulance, they can die. Think about it. You'll have to destroy a few houses, but not bad yet. They can worm their way around and really think about it. This is your last chance. Should have done it years ago but it doesn't make sense. Really. Think about it."

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Supervisor Kozakiewicz: "Thank you, George."

George Schmelzer: "And like they can laugh at Riverhead again. Now in Southampton this 2% tax starts at \$250,000 for land that's improved. Riverhead is \$150,000. Now we're taxed more than Southampton. Now we've got this and you've got the school tax, too, they're kicking us in the butt in all directions and we're taking it. And, of course, the people that vote for this don't own any land at all. That's why they vote for it because they figure they can't some of that mooch money back. Because we'd become a mooch-acracy and we're going to the Soviet system. People can't use their own land anymore. They've got to get a permit to live. Imagine getting a permit to live in your own house."

I hope you do something about that really. How about this master plan? Did you ask anybody if they want their land zoning changed or did you have some committee do it? Because they don't change their own. They do what they want for their own land. How about it?"

Supervisor Kozakiewicz: "I think we held many, many years of hearings but, of course, there's a lot of opposition to, you know, things such as upzoning, such as changing the corridor along 58- I mean along the Calverton corridor. You know, there's no question there's- we didn't ask for the comments but we sure got them during the hearing."

George Schmelzer: "Some people think we should control everything. They ought to- they want- maybe they've got the Soviet system they want. We're going toward it slowly I can see and if we had this- "

Supervisor Kozakiewicz: "I think if we were in the Soviet system, you wouldn't be allowed to say what you are doing or do what you're doing right now. We'd take you out back and shoot you."

George Schmelzer: "Well, not allowed to do- we supported them for a while with Hitler instead of playing them off one against the other, we then well, I don't want to go back there. I remember that, maybe you don't, but it was a real mess and I used to know people, they're all dead now, from eastern Europe, they told me about Stalin."

Supervisor Kozakiewicz: "I don't remember Stalin personally."

George Schmelzer: "I asked a Russian a couple years ago who

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was worse, Stalin or Hitler. He thought for a moment- this real Russian guy from Russia, he said, well, the only difference is Hitler killed people for 10 years and Stalin killed them for 30 years because he was in power longer. That's all. Okay."

Supervisor Kozakiewicz: "All right, George."

George Schmelzer: "Okay, thank you very much."

Supervisor Kozakiewicz: "Have a good evening. All right."

Meeting adjourned: 11:15 p.m.